Contents for 1995

Table of Cases ix
Table of Legislation xxxiii

Case and comment
Floating choice of law clauses (*The Star Texas*) 1
Settlement credits—the proportionate share rule (*McDermott Inc.* v. *AmClyde*) 8
The New York Produce Exchange Time Charter (*NYPE 93*) 13
Responsibility for unsuitable container in China (*Chinese People's Insurance* v. *Guangzhou Ocean*) 15
The interpretation of NSF 83, cl.11 (*The Niobe*) 17
Security for costs in ICC arbitration (*Coppée Lavalin* v. *Ken-Ren Chemicals*) 19
Malta: Nine-month time bar clause not invalid under Hague Rules (*The City of Athens*) 23
Damages, diminution in value and cost of cure (*Ruxley Electronics* v. *Forsyth*) 27
Jurisdiction under competing Conventions (*The Anna H*) 31
The Brussels Convention tames the Arrest Convention (*The Tatry*) 161
Maritime transport and marine pollution: Law reform in New Zealand (*Maritime Transport Act 1994 (N.Z.)*) 167
Proprietary maritime claims and Australian maritime jurisdiction (*The Shin Kobe Maru*) 173
Sub-bailment on terms: A new landmark (*The Pioneer Container*) 177
Jurisdiction clauses in bills of lading—the cargo claimant's perspective (*The Pioneer Container*) 183
The modernization of sales law? (*The Sale and Supply of Goods Act 1994*) 191
Bribes, restitution and the conflict of laws (*Thahir* v. *Pertamina*) 198
Proof of wilful casting away (*The Ikarian Reefer*) 305
Restitution's uncertain progress (*Macmillan* v. *Bishopsgate*) 308
Change of position in anticipation of enrichment (*South Tyneside* v. *Svenska*) 313
Third party payments to insureds—what constitutes a gift? (*The Wind Star*) 316
Last orders and late redelivery (*The Gregos*) 318
Personal injury compensation: how much is enough? (Law Com. No. 225) 324
Builder's negligence liability to subsequent purchaser (*Bryan* v. *Maloney*) 326
Guarantees—creditor's duty of disclosure to surety (*Levett* v. *Barclays Bank*) 331
The elasticity of unfair prejudice: stretching the ambit of the Companies Act 1985, s.459 (*Re Macro (Ipswich)*) 337
Mesne profits and restitutionary damages (*Inverugie Investments* v. *Hackett*) 343
Classification societies, cargo owners and the basis of tort liability (*The Nicholas H*) 433
The international dimension to claims for contribution (*Arab Monetary Fund* v. *Hashim*) 437
Yemen's new maritime code 442
Recovery of misappropriated assets: orthodoxy re-established? (*Bishopsgate Investment Management* v. *Homan*) 446
Subrogation, tracing and the *Quistclose* principle (*Boscawen* v. *Bajwa*) 451
Common sense on cost of cure (*Ruxley Electronics and Constructions* v. *Forsyth*) 456
Accounting for wrongful profits (*Warman* v. *Dwyer*) 462

The enforceability of entire agreement clauses
(*Thomas Witter* v. *T. B. P. Industries*) 466
Resale: performance or rescission? 470
The significance of silence—non-disclosure again
(*St Paul* v. *McDonnell Dowell*) 477

Articles
Insolvency at sea
Sir Jonathan Mance 34
The 1993 Convention on Maritime Liens and Mortgages
Professor Francesco Berlingieri 57
Ships are different: the case for limitation of liability
David Steel, Q C. 77
Canadian maritime legislation and decisions 1993–1994
Professor William Tetley, Q C. 88
Winding up recalcitrant debtors
Dr. F Oditah 107
Arrest and judicial sale of ships in Belgium
Walter P Verstrepen 131
Pride and precedent: Economic loss—the search for a new bright line
The Hon. Mr Justice C.S.C. Sheller 203
The human factor in unseaworthiness claims
Roger White 221
Tracing in *Taylor* v. *Plumer*: Equity in the Court of King's Bench
Lionel D. Smith 240
The Chinese maritime law of salvage
Yong-Shen Huang 269
The Presentation Rule revisited
Professor John F. Wilson 289
Taking security after *O'Brien*
Richard Hooley 346
Striking the balance in the law of restitution
Graham Virgo 362
Director's remuneration: constraining the power of the board
Andrew Griffiths 372
Australian maritime law decisions 1994
Professor Martin Davies 385
Does a subcontractor have restitutionary rights against the employer?
Professor Peter Watts 398
"Safer ships, cleaner seas": the report of the Donaldson Inquiry into the prevention of pollution from merchant shipping
Mark W. Wallace 404
General average ancient and modern
John Macdonald 480
The courts and foreign currency obligations
Steven Stern 494
Choice of law in tort and delict
Adrian Briggs 519
The Nordic Maritime Code
Professor H. Tiberg 527
Unconscionability as a vitiating factor
Nicholas Bamforth 538
Ex Africa semper aliquid novi: Associated ship arrest in South Africa
Professor Hilton Staniland 561

Book reviews

466 Yates (Gen. Ed.): Contracts for the Carriage of Goods by Land, Sea and Air 155
470 Hill: Law Relating to International Commercial Disputes (The) 156
Wilson: Carriage of Goods by Sea (2nd Edn) 157
477 CCH Editions: CCH Commercial Law Cases (Vol. I, issues I and 2) 159
Cooke, Young, Taylor, Kimball, Martowski, LeRoy Lambert: Voyage Charters 299
Meesen: Admiralty Jurisdiction and Practice 300
Nordquist (Gen. Ed.), Nandan, Rosenne, Grandy (Vol. Eds): United Nations Convention on the Law of the Sea 1982: A Commentary: Vol. II 302
34 Reichert-Facilides, d'Oliveira (Eds): International Insurance Contract Law in the FC 303
57 Kaye: International Contracts: Governing Law under the Contracts (Applicable Law) Act 1990 (A Guide for the Uninitiated) 304
77 Lloyd (Ed.): LOF DIGEST (3rd Edn) 416
88 O'May and Hill: Marine Insurance: Law and Policy 418
Miller: Marine War Risks (2nd Edn) 418
Hudson: Institute Clauses (The) (2nd Edn) 418
107 Ivamy (Ed.): Chalmers's Marine Insurance Act (l0th Edn) 418
Birks (Ed.): Frontiers of Liability (The) (Vols I and II) 420
131 Hughes: Casebook on Carriage of Goods by Sea 421
Collier: Conflict of Laws (2nd Edn) 422
203 Thomas: Law and Practice Relating to Appeals from Arbitration (The) 423
Bramwell, Harwick, James, Kingstone: Taxation of Companies and
221 Company Reconstructions (6th Edn) 424
Ivamy: General Principles of Insurance Law (6th Edn) 425
240 Campbell (Gen. Ed.): Remedies for International Sellers of Goods 426
Burke: New International Law of Fisheries (The) 427
269 Myers: Acquisition of Business Assets (The) 429
Grief: Public International Law in the Airspace of the High Seas 430
289 Farmer and Lyal: EC Tax Law 431
Law Commission: Sixth Programme of Law Reform 432
346 Fogarty: Merchant Shipping Legislation 572
Guest (Gen. Ed.): Chitty on Contracts (27th Edn) 573
362 Gregory et al. (eds): Practice and Prospects of the Ombudsmen in the United Kingdom 574
372
385
398
404
480
494
519
527
538
561

Table of Cases

A Company (No. 006273 of 1992) (*Re*) [1993] B.C.L.C. 131 ..... **114**, 117, 118
A Company (No. 009080 of 1992) (*Re*) [1993] B.C.L.C. 269 ..... 118, **126**
A Company (No. 0012209 of 1991) (*Re*) [1992] 1 W.L.R. 351; [1992] B.C.L.C. 865 113–115
A Company (No. 00359 of 1987) (*Re*) [1988] 1 Ch. 210 53
A Company (No. 003028 of 1987) (*Re*) [1988] B.C.L.C. 282 ..... **122**, **123**
A Company (*Re*) [1983] B.C.L.C. 492 ..... 111, **124**, 126, **128–130**
A Company (*Re*) [1894] 2 Ch. 349 ..... **127**
A Company (*Re*) [1985] B.C.L.C. 37 113
A.J. Bekhor & Co. Ltd. *v.* Bilton [1981] 1 Q.B. 923 43
A & K Lick-A-Chick Franchises *v.* Cordiv (1981) 119 D.L.R. (3d) 440 547
A.N.Z. Banking Group Ltd. *v.* Cie d'Assurances Maritimes Aeriennes et Terrestres (1994) Unreported **395–396**
A/S Nordlandsbanken *v.* The *Nor-Fisk I* (1993) 62 F.T.R. 103 ..... **93**
Aberdeen Ry *v.* Blaikie (1854) 1 Macq. 461 379
Adamastos Shipping Co. Ltd. *v.* Anglo-Saxon Petroleum Co. Ltd. (*The Saxon Star*) [1959] A.C. 133 .. 531
Adams *v.* Richardson & Starling Ltd. [1969] 1 W.L.R. 1645 468
Admiral Zmajevic, The [1983] 2 Lloyd's Rep. 86 ..... 221, 237
Adolf Warski, The [1976] 1 Lloyd's Rep. 107 187
Adriadni, The, A.J. Antwerp, 2.11.81, Unreported 142
Adriatic ZS, The, A.J. Antwerp, 10.2.89; [1990] E.T.L. 50 ..... 144, 151
Aegis Topic, The, A.J. Antwerp, 28.6.84; [1985] E.T.L. 142 146
Afovos, The, A.J. Antwerp, 17, 18.5.77, Unreported 142
Agenor, The, Comm. Ct. Antwerp, 24.6.74; [1975] E.T.L. 389 149
Agios Nikalaos, The, A.J. Antwerp, 19.11.76, Unreported 146
Agip (Africa) Ltd. *v.* Jackson [1990] Ch. 264; *aff'd* [1991] Ch. 547 ..... 256, 265
Aidall Ltd. (*Re*) [1933] Ch. 323 112
Air Canada *v.* British Columbia (1989) 59 D.L.R. (4d) 161; [1989] 1 S.C.R. 1161 ..... 363, 368
Air New Zealand *v.* The Ship *Contship America* [1992] 1 N.Z.L.R. 425 186
Aktie. de Dansk Sukkerfabrikker *v.* Bajamar C. Na. S.A. (*The Torenia*) [1983] 2 Lloyd's Rep. 210 ..... **238**
Al Battani, The [1993] 2 Lloyd's Rep. 219 ..... **188**
Al Tawwab, The [1991] 1 Lloyd's Rep. 201 166
Al Wahab, The [1984] A.C. 50 ..... 3, 5, 7
Alec Lobb (Garages) Ltd. *v.* Total Oil (Great Britain) Ltd. [1985] 1 W.L.R. 173 ..... 539, **543**, 545–548, **549**, 551, 552, 556
Alfred C. Toepfer Schiffahrts. GmbH *v.* Tossa Marine Co. Ltd. (*The Derby*) [1985] 2 Lloyd's Rep. 325 229
Aliakmon, The [1986] 1 A.C. 785; noted [1986] LMCLQ 294 ..... 92, **208**, **209**, 210
Aliakmon Maritime Corp *v.* Trans Ocean Continental Shipping Ltd. (*The Aliakmon Progress*) [1978] 2 Lloyd's Rep. 499 225
Aliakmon Progress, The [1978] 2 Lloyd's Rep. 499 225
Alida Gorthon, The, A.J. Antwerp, 18.5.73; [1973] Rechtsfr. Antw. 122 ..... 136, 145
Allen *v.* Snyder [1977] 2 N.S.W.L.R. 685 541
Allied Irish Bank *v.* Byrne [1995] 1 F.C.R. 430 ..... **350**, **353**, **359**, **360**
Allobrogia S.S. Corp. (*The Allobrogia*) (*Re*) [1979] 1 Lloyd's Rep. 190 ..... 45, 53
Alman & Benson *v.* Associated Newspapers Ltd. (20 June 1980) Unreported 468
Alpha, The [1991] 2 Lloyd's Rep. 514 489
Alpha Cosmic, The, C.A. Antwerp, 8.11.85; [1987] Rechtsfr. Antw. 3; *aff'd* A.J. Antwerp, 29.10.85; [1987] Rechtsfr. Antw. 69 144
Alpha Sun, The, C.A. Antwerp, 1.2.94; [1994] Rechtsfr. Antw. 227 144

Page numbers in **bold** type indicate where the details of a particular case are examined.

Aluminium Industrie *v.* Romalpa Aluminium Ltd. [1976] 1 W.L.R. 676 426
Amalgamated Investment & Property Co. *v.* Texas Commerce International Bank [1982] 1 Q.B. 84 .... 541, 542

Amazona, The [1989] 2 Lloyd's Rep. 130 50
American Cyanamid Co. *v.* Ethicon Ltd. [1975] A.C. 396 118
Amin Rasheed Shipping Corp. *v.* Kuwait Ins. Co. (*The Al Wahab*) [1984] A.C. 50 ..... 3, 5, 7
Amministrazione delle Finanze dello Stato *v.* SpA San Giorgio [1983] ECR 3595 (Case 199/82) 369
Amoco Cadiz, The, 1984 AMC 2123; [1984] 2 Lloyd's Rep. 304 ..... **218**
Amstelslot, The [1963] 2 Lloyd's Rep. 223 ..... **229**
Anderson *v.* Morgan (1917) 34 D.L.R. 728 548
Anemone, The, A.J. Antwerp, 24.10.91, Unreported 144, 145
Anglo Irish Beef Processors International Ltd. *v.* Federated Stevedores Geelong (*The Reefer Badger*) (1994) LMLN 403 ..... **392–394**
Anglo-Saxon Petroleum Co. Ltd. *v.* Adamastos Shipping Co. Ltd. [1958] 1 Lloyd's Rep. 73; *sub nom.* Adamastos Shipping Co. Ltd. *v.* Anglo-Saxon Petroleum Co. Ltd. [1959] A.C. 133 ..... **237**
Anna H, The [1994] C.L.C. 1060; *aff'ing* [1994] 1 Lloyd's Rep. 287; [1995] 1 Lloyd's Rep. 11; noted [1995] LMCLQ 31 162
Anns *v.* Merton L.B.C. [1978] A.C. 728 ..... 206, 212–214, 328
Anonima Petroli Italiana S.p.A. *v.* Marlucidez Armadora S.A. (*The Filiatra Legacy*) [1991] 2 Lloyd's Rep. 337 306
Anonity, The [1961] 1 Lloyd's Rep. 203 231
Antaios C.N.S.A. *v.* Salen Rederierna A.B. (*The Antaios*) [1985] A.C. 191 ..... **18, 19**
Antigoni, The [1991] 1 Lloyd's Rep. 209 237
Antwerpen, The, A.J. Bruges, 22.11.92, Unreported; *rev'd* C.A. Ghent, 15.12.92 [1994] 1 Lloyd's Rep. 213 ..... 136, 137, 141, 146, 289, **297, 298**, 387
Appleby *v.* Cowley [1982] T.L.R. 207 541
Arab Monetary Fund *v.* Hashim [1993] 1 Lloyd's Rep. 543; (29 July 1994) Unreported; noted [1995] LMCLQ 437 ..... **198**, 201, **437** *et seq.*, 522, 523
Arab Monetary Fund *v.* Hashim (No. 3) [1991] 2 A.C. 114 437
Aramis, The [1989] 1 Lloyd's Rep. 213 158
Archer *v.* Cutler [1980] 1 N.Z.L.R. 386 ..... 538, 539, 547, **549**, 550–552, 554
Armada Lines Ltd. *v.* Chaleur Fertilizer Ltd. (1993) 60 F.T.R. 232; 1993 AMC 1953 ..... **99**
Armar Shipping Co. Ltd. *v.* Caisse Algérienne d'Assurance et de Réassurance (*The Armar*) [1980] 2 Lloyd's Rep. 450 ..... **2, 3**
Aruna Mills Ltd. *v.* Dhanjmal Gobindram [1968] 1 Q.B. 655 ..... **505**, 506
Ashburn Anstalt *v.* Arnold [1989] 1 Ch. 1 ..... 541, 542, 544
Ashington Piggeries *v.* Hill [1972] A.C. 441 472
Assets Co. *v.* Mere Roihi [1905] A.C. 176 ..... **548**
Astro Venturoso Cia Nav. *v.* Hellenic Shipyards S.A. (*The Mariannina*) [1983] 1 Lloyd's Rep. 12 ..... 3, 4
Aswan Engineering *v.* Lupdine [1987] 1 W.L.R. 1 ..... **192, 194**
Atkins (G.W.) Ltd. *v.* Scott (1980) 7 Const. L.J. 215 458
Atlantic Song, The [1983] 2 Lloyd's Rep. 394 188
Attorney-General of Hong Kong *v.* Humphreys Estate (Queen's Gardens) [1987] 1 A.C. 114 541
Attorney-General for Hong Kong *v.* Reid [1994] 1 A.C. 324 421
Auckland Harbour Board *v.* R. [1924] A.C. 318 ..... **370**
August 8th, The [1983] 1 Lloyd's Rep. 351 166
August Aasma *v.* American S.S. Owners Mutual Protection and Indemnity Assoc. Inc. and West of England Owners Mutual Protection and Indemnity Assoc. Inc. [1994] 15 July, Unreported **45, 49**
Avenir, The, A.J. Antwerp, 10.12.81, Unreported 142
Aventicum, The [1978] 1 Lloyd's Rep. 184 ..... 158, 301, 390
Avocet Aviation Ltd., *ex p.* [1992] B.C.L.C. 865 113
Awad *v.* Pillai [1982] R.T.R. 266 182
Ayerst *v.* C. & K. Construction Ltd. [1976] A.C. 167 110
Ayres *v.* Hazelgrove (9 February 1984) Unreported (Lexis 1982/NJ/1003) 551, 552, 554

B.I.C.C. Plc *v.* Burndy [1985] Ch. 232 117
BP Exploration Co. (Libya) Ltd. *v.* Hunt (No. 2) [1979] 1 W.L.R. 783; *aff'd* [1981] 1 W.L.R. 232 ... 309, **510**
Baarn, The [1933] P. 251 ..... **505**, 506
Baarn, The (No. 2) [1934] P. 251 ..... **505**
Backhouse *v.* Backhouse [1978] 1 W.L.R. 243 ..... 547, 551, 554
Bagshaw *v.* Playn (1590) Cro. Eliz. 536; 78 E.R. 783 ..... **505**

Page numbers in **bold** type indicate where the details of a particular case are examined.

Baldassano *v.* Larson (1984) 580 F. Supp. 415; 1985 AMC 2527 85
Balder Vik, The, A.J. Bruges 3.9.85, Unreported 138
Baldwins Industrial Services Ltd. *v.* Cementation Construction Ltd. (1992) 37 Con. L.R. 20 ..... **224**
Baleares, The [1993] 1 Lloyd's Rep. 215 421
Ballard Shipping Co. (In the matter of the complaint of), 1993 AMC 1413 208
Baltic Shipping Co. *v.* Merchant (*The Mikhail Lermontov*) (1994) Unreported **388–389**
Baltiyskiy-0054, The A.J. Ghent, 26.10.93; [1994] I.V.L.Z. 157 133
Bamburi, The [1982] 1 Lloyd's Rep. 306 35
Banco de Portugal *v.* Waterlow & Sons Ltd. [1932] A.C. 45 387
Banco do Brasil *v.* The *Alexandros G. Tsavliris* [1992] 3 F.C. 735; (1993) 145 N.R. 140; 57 F.T.R. 240; 68 F.T.R. 284 ..... **96, 97**
Banco Exterior Internacional *v.* Mann [1995] 1 All E.R. 936 ..... 331, 333, 347, **349** *et seq.*
Bank Mellat *v.* Helliniki Techniki S.A. [1984] Q.B. 291 ..... 20, 21, 22
Bank Melli Iran *v.* Samadi-Rad [1995] 1 F.C.R. 465 ..... **350**
Bank Negara Indonesia 1946 *v.* Taylor [1995] C.L.C. 255 ..... **334**
Bank of Baroda *v.* Rayarel (19 January 1995), *The Times* 347, **351**
Bank of Baroda *v.* Shah [1988] 3 All E.R. 24 ..... 349, **552**
Bank of Credit and Commerce International S.A. *v.* Aboody [1990] 1 Q.B. 923 ..... **359**, 540
Bank of N.S.W. *v.* Palmer (1970) 91 W.N. (N.S.W.) 580 397
Bank of Victoria *v.* Mueller [1925] V.L.R. 642 554
Banque Belge pour l'Etranger *v.* Hambrouck [1921] 1 K.B. 321 ..... 256, 265, **268**
Banque Bruxelles Lambert S.A. *v.* Eagle Star Ins. Co. Ltd. [1993] 26 February **41**
Barcabe *v.* Edwards (1983) C.C.L.R. 11 558
Barclays Bank Ltd. *v.* Commissioners of Customs and Excise [1963] 1 Lloyd's Rep. 81 ..... **292, 293, 296**
Barclays Bank Ltd. *v.* Quistclose Investments Ltd. [1970] A.C. 567 ..... 257, 455
Barclays Bank Ltd. *v.* W.J. Simms Son & Cooke (Southern) Ltd. [1980] Q.B. 677; [1980] 1 Lloyd's Rep. 225 ..... 364, 371, 402
Barclays Bank Plc *v.* O'Brien [1994] 1 A.C. 180; [1993] Q.B. 109; noted [1993] LMCLQ 101 ..... 331, 334, **346** *et seq.*, 540, **552**, 574
Barclays International Ltd. *v.* Levin Brothers (Bradford) Ltd. [1976] Q.B. 270 ..... **510**
Barlow Clowes International Ltd. *v.* Vaughan [1992] 4 All E.R. 22 448
Barnes *v.* Addy (1874) L.R. 9 Ch.App. 255 ..... 199, 464
Bartlett *v.* Barclays Bank Trust Co. Ltd. [1980] Ch. 515 ..... **342**
Barry *v.* Van Der Hurk [1920] 2 K.B. 709 ..... **504**
Basham (decd.) (*Re*) [1986] 1 W.L.R. 1498 541
Bater *v.* Bater [1951] P. 35 306
Batis, The [1990] 1 Lloyd's Rep. 345 ..... 320, 321
Baumgartner *v.* Baumgartner (1987) 164 C.L.R. 137 ..... **541**, 542
Baumlin *v.* Ernst Ltd. *v.* Gemini Ltd. (1980) 637 F. 2d 238 (4th Cir.) 496
Baytur S.A. *v.* Finagrain Holding S.A. [1992] 1 Lloyd's Rep. 134 ..... **50**, 51
Bazias 3, The and *Bazias 4* [1993] 1 Lloyd's Rep. 101 392
Behan *v.* Obelon Pty. Ltd. (1985) 157 C.L.R. 326 ..... **335**
Bekhor (A.J.) & Co. Ltd. *v.* Bilton [1981] 1 Q.B. 923 43
Bell *v.* Peter Browne & Co. [1990] 2 Q.B. 495 38
Bellador Silk Ltd. (*Re*) [1965] 1 All E.R. 667 ..... 113, **127**
Bellgrove *v.* Eldrigde (1954) 90 C.L.R. 613 ..... **458**
Bentainer, The, A.J. Antwerp, 28.3.80; [1981–1982] Rechtsfr. Antw. 187 ..... 143, 148, 149
Berge Tasta, The [1975] 1 Lloyd's Rep. 422 319
Berkeley Administration Inc. *v.* McClelland [1995] ILPr 201 440
Berkholz *v.* Finanzamt Hamburg [1985] ECR 2251 (Case 168/84) 432
Beswick *v.* Beswick [1968] A.C. 58 ..... **509**
Beynon *v.* Cook (1875) 10 L.R. Ch. 389 ..... 548, 556
Biggin *v.* British Marine Mutual [1993] 101 Nfld. and P.E.I.R. and 321 A.P.R. 156 ..... **101**
Biggs *v.* Hoddinott (1898) 2 Ch. 307 ..... **546**
Bijela, The [1992] 1 Lloyd's Rep. 636; noted [1992] LMCLQ 322; [1993] LMCLQ 13; [1993] 1 Lloyd's Rep. 411 (C.A.); noted [1993] LMCLQ 476; [1994] 1 W.L.R. 615; [1994] 2 Lloyd's Rep. 1; noted [1994] LMCLQ 342 ..... **491**
Bilbie *v.* Lumley (1802) 2 East 469; 102 E.R. 448 363
Bishop *v.* Baltic Shipping Co. (*The Mikhail Lermontov* (No. 3)) (1994) Unreported **388–389**
Bishopsgate Investment Management Ltd. *v.* Homan [1995] Ch. 211 (C.A.); [1995] 1 W.L.R. 31 ..... **446** *et seq.*

Page numbers in **bold** type indicate where the details of a particular case are examined.

Blackburn Low & Co. *v.* Vigors (1887) 12 A.C. 531 352
Black-Clawson International Ltd. *v.* Papierwerke Waldhof-Aschaffenburg S.G. [1981] 2 Lloyd's Rep. 446 1
Blackfriars Lighterage & Cartage Co. Ltd. *v.* R.L. Hobbs (*The Landeer*) [1955] 2 Lloyd's Rep. 554 ... **225**
Bliss *v.* South East Thames Regional Health Authority [1985] I.R.L.R. 308 (C.A.) 460
Blomley *v.* Ryan (1956) 99 C.L.R. 362 ..... 539, 545, **547**, 548, 551, **552–553**, 554
Blue Wave, The [1982] 1 Lloyd's Rep. 151 ..... **188**
Boardman *v.* Phipps [1967] 2 A.C. 46 ..... **376**, 464
Boca Grande Club Inc. *v.* Florida Power & Light Co., 1994 AMC 1536; (1994) 114 S. Ct. 1472 11
Boddington *v.* Castelli (1853) 1 El. Bl. 879; 118 E.R. 665 247
Bonelli's Telegraph Co. (*Re*) (1871) L.R. 12 Eq. 246 378
Bonython *v.* Commonwealth of Australia [1951] A.C. 201 505
Borland's Trustee *v.* Steel [1901] 1 Ch. 279 515
Boscawen *v.* Bajwa; Abbey National Plc *v.* Boscawen (10 April 1995) Unreported, [1995] RLR §156 ..... **451** *et seq.*
Boschoek *v.* Fuke [1906] 1 Ch. 148 ..... 374, 376
Boustany *v.* Pigott (1993) 69 P. & C.R. 298 ..... **538**, 539, **542** *et seq.*
Bowes *v.* Hope Life Assurance and Guarantee Co. (1865) 11 H.L.C. 389 ..... **110**
Boyd & Forest *v.* Glasgow & South Western Ry Co., 1915 S.C. (H.L.) 20 467
Boys *v.* Chaplin [1971] A.C. 356 ..... **519**, 520–526
Brabant, The [1967] 1 Q.B. 588; [1965] 2 Lloyd's Rep. 546 ..... **230**
Bracewell *v.* Appleby [1975] Ch. 408 343
Bradley *v.* Carritt [1903] A.C. 253 546
Bradley *v.* Eagle Star Ins. Co. Ltd. [1989] A.C. 957; [1963] 2 Lloyd's Rep. 65 ..... **37**, 38, 40–42, 54, 55
Brandt *v.* Liverpool etc. S.N. Co. Ltd. [1924] 1 K.B. 575 184
Brazier *v.* Skipton Rock Co. Ltd. [1962] 1 W.L.R. 471 ..... **224**, 225, 229
Brazilian Rubber Plantations and Estates Ltd. (*Re*) [1911] 1 Ch. 425 340
Bremen, The, Ct. of Cassation, 24.6.88; [1989–1990] Rechtsfr. Antw. 167; *aff'd* C.A. Antwerp, 14.5.86; [1989–1990] Rechtsfr. Antw. 173 144
Brendacot Ltd. (*Re*) (1986) 2 B.C.C. 99 124
Bridge *v.* Campbell Discount [1962] A.C. 600 557
British American Continental Bank Ltd., Goldzieher and Penso's Claim (*Re*) [1922] 2 Ch. 575 ..... **504**
British American Continental Bank Ltd., Lisser and Rosenkranz's Claim (*Re*) [1923] 1 Ch. 276 ..... **504**
British Continental Bank Ltd. (*Re*) [1922] 2 Ch. 575 ..... **513**
British Eagle *v.* Air France [1975] 1 W.L.R. 758 ..... 46, 51
Broad *v.* Selfe (1863) 11 W.R. 1036 546
Bronson *v.* Rodes (1869) 74 U.S. (7 Wall) 229 ..... 496, **497**
Broughton Park Textiles (Salford) Ltd. *v.* Commercial Union Assurance Co. [1987] 1 Lloyd's Rep. 194 306
Brown & Davies Ltd. *v.* Galbraith [1972] 1 W.L.R. 997 398
Browne *v.* Ryan [1901] 2 I.R. 653 546
Bryan *v.* Maloney (1995) 128 A.L.R. 163 ..... **326** *et seq.*
Bryanston Finance Ltd. *v.* de Vries (No. 2) [1976] Ch. 63 ..... **118**, **124**, **126**, 127
Brynowen Estates Ltd. *v.* Bourne (1981) 21 October, Unreported 343
Buena Trader, The [1978] 2 Lloyd's Rep. 325 ..... **17**, 19
Bunbury *v.* Winter (1820) 1 Jac. & W. 255 546
Bunga Seroja, The [1994] 1 Lloyd's Rep. 455; noted [1994] LMCLQ 407, 412 386
Bureau Wijsmuller *v.* United States (1979) 487 F. Supp. 156 495
Burmah Oil Co. *v.* Governor of the Bank of England (4 July 1981), *The Times* 547, 551, **553**
Burnand *v.* Rodocanachi (1882) 7 App. Cas. 333 ..... 316, 317
Burnard & Alger Ltd. *v.* Player & Co. (1928) 31 Ll.L.Rep. 281 ..... **229**
Burnie Port Authority *v.* General Jones Pty. Ltd. (1994) 179 C.L.R. 520 ..... **327**, 328, 330
Business Computers International Ltd. (*Re*) *v.* Registrar of Companies [1987] B.C.L.C. 621 108
Butler *v.* Broadhead [1975] Ch. 97 112
Butler *v.* Horwitz (1869) 74 U.S. (7 Wall) 258 ..... 496, **497**
Butler *v.* Rice [1910] 2 Ch. 277 455
Butler, *ex p.* (1749) 1 Atk. 210; 26 E.R. 136 243
Butterworth *v.* Kingsway Motors Ltd. [1954] 1 W.L.R. 1286 426

C.I.B.C. Mortgages Plc. *v.* Pitt [1994] 1 A.C. 200 ..... 331, **353**, **359**, **552**, 574

Page numbers in **bold** type indicate where the details of a particular case are examined.

CNR *v.* Norsk Pacific (*The Jervis Grown*) [1994] 2 F.C. 318; (1993) 71 F.T.R. 47; [1992] 1 S.C.R. 1021; (1992) 91 D.L.R. (4th) 289; 1992 AMC 1910 ..... **90**
C.R. Taylor (Wholesale) Ltd. *v.* Hepworths Ltd. [1977] 1 W.L.R. 659 ..... 30, 458
CTI *v.* Oceanus [1984] 1 Lloyd's Rep. 476 ..... 305, 425
CTO International Ltd. *v.* Intercon Freight (1993) 56 F.T.R. 94 ..... **91**
Cade (J.E.) & Son Ltd. (*Re*) [1992] B.C.L.C. 213 ..... **130**
Calypso IV, The, A.J. Antwerp, 1.2.74; [1973] Rechtsfr. Antw. 345; [1974] E.T.L. 277 ..... 146, 147
Camilla Cotton Oil Co. *v.* Granadex S.A. [1976] 2 Lloyd's Rep. 10 165
Canada *v.* Maritime Group (Canada) Inc. (1993) 58 F.T.R. 253 ..... **103, 104**
Canadian National Railway Co. *v.* Norsk Pacific S.S. Co. [1992] 1 S.C.R. 1021 ..... **212–214, 215**
Canastrand Industries Ltd. *v.* The *Lara S* [1993] 2 F.C. 553; (1993) 60 F.T.R. 1 ..... **92, 93**
Candler *v.* Crane Christmas & Co. [1951] 2 K.B. 164 206
Candlewood Navigation Corp. Ltd. *v.* Mitsui OSK Lines Ltd. (*The Mineral Transporter*) [1986] A.C. 1 ..... 210, **211, 212**, 220
Cap Blanco, The [1913] P. 130 184
Caparo Industries Plc *v.* Dickman [1990] 2 A.C. 605; [1991] 1 A.C. 398 ..... 331, 360
Capcount Trading *v.* Evans (Inspector of Taxes) [1993] 2 All E.R. 125 ..... 506, **512**
Captain Gregos, The (No. 2) [1990] 2 Lloyd's Rep. 395; noted [1991] LMCLQ 5 ..... 158, 177, 179
Captain Panagos D.P., The [1989] 1 Lloyd's Rep. 33 306
Car & Universal Finance Co. Ltd. *v.* Caldwell [1965] 1 Q.B. 515 402
Cardiff Savings Bank (*Re*): The Marquis of Bute's Case [1892] 2 Ch. 100 342
Cargo Laden on Board *Thalassini Avgi* v. The *Dimitris*, 1989 (3) S.A. 820 (A) 567, 568
Caribbean Ispat Ltd. *v.* Cia de Nav. Lloyd Brasilairo (1993) 59 F.T.R. 207 ..... **94**
Carolin, The, A.J. Antwerp, 27.11.80, Unreported 145
Carpenter *v.* Marnell (1802) 3 Bros. & Pul. 39; 127 E.R. 23 ..... **246**
Carvalho *v.* Burn (1833) 4 B. & Ad. 382; 110 E.R. 499 247
Casden *v.* Cooper Enterprises Ltd. (1993) 151 N.R. 199 ..... **105**
Cases of Taff Wells Ltd. (*Re*) [1992] B.C.L.C. 11 111
Cast Seal, The, A.J. Antwerp, 20.9.79, Unreported 145
Castle Ins. Co. Ltd. *v.* Hong Kong Shipping Co. Ltd. (*The Potoi Chou*) [1984] 1 A.C. 226 38
Castle Phillips Finance *v.* Khan (1980) C.C.L.R. 1 ..... **558–559**
Castle Phillips Finance *v.* Piddington (8 December 1994) Unreported (C.A.) 454, 455
Catholic Publishing Co. (*Re*) (1864) 2 De G. J. & S. 116 116
Cattle *v.* Stockton Waterworks Co. (1875) L.R. 10 Q.B. 453 ..... 206, 210, 212
Caltex Oil (Australia) Pty. Ltd. *v.* The Dredge *Willemstad* (1976) 136 C.L.R. 529 ..... **205, 210, 211**, 212, 214, 219, 220
Celia, The *v.* The *Volturno* [1921] 2 A.C. 544 ..... **504, 506**
Celtic Venture, The, A.J. Antwerp, 10.9.84; [1985] E.T.L. 136 ..... 143, 147, 149
Central Trust Co. *v.* Rafuse (1986) 31 D.L.R. (4th) 521 328
Chan *v.* Zacharia (1984) 154 C.L.R. 178 464
Chandan Star, The, A.J. Antwerp, 6.6.85; [1993] Rechtsfr. Antw. 66 ..... 135, 143, 146, 149
Chandris *v.* Argo Ins. Co. Ltd. [1963] 2 Lloyd's Rep. 65 ..... **38, 39**
Channel Tunnel Group Ltd. *v.* Balfour Beatty Construction Ltd. [1993] A.C. 334 ..... 20, 21
Charterbridge *v.* Lloyds Bank [1970] Ch. 62 374
Chartered Bank of India *v.* British India Steam Navigation [1909] A.C. 369 ..... **297**
Charterhouse Investment Trust *v.* Tempest Diesels (1985) 1 B.C.C. 99, 544 378
Chase I, The, A.J. Antwerp, 15.3.79; [1980] E.T.L. 296 ..... 146, 149
Chase III, The, A.J. Antwerp, 22.2.79, Unreported 145
Chase Manhattan Bank N.A. *v.* Israel-British Bank (London) Ltd. [1981] Ch. 105 402
Child *v.* Hudson Bay Co. (1723) 2 P. Wms. 207 514
Chios Faith, The, Comm. Ct. Antwerp, 19.11.87; [1988] E.T.L. 477 ..... 135, 143
Chohan *v.* Saggar [1992] B.C.C. 750 456
Choice Investments Ltd. *v.* Jeromnimon; Midland Bank Ltd., Garnishee [1981] Q.B. 149 515
Choko Star, The [1990] 1 Lloyd's Rep. 516 488
Christian Andersen *v.* Att.-Gen. of New Zealand (*The Danica Brown*) (1994) 1 November, Unreported 229
Christina I, The, C.A. Antwerp, 30.7.82; [1983–1984] Rechtsfr. Antw. 347 153
Chung Kiaw Bank *v.* United Overseas Bank [1970] A.C. 767 452
Cia Colombiana de Seguros *v.* Pacific S.N. Co. [1965] 1 Q.B. 101 ..... **50**
Cia de Nav. Pohing S.A. *v.* Sea Tanker Shipping (PTE) Ltd. (*The Buena Trader*) [1978] 2 Lloyd's Rep. 325 ..... **17**, 19

Page numbers in **bold** type indicate where the details of a particular case are examined.

Cia Portorafti Commerciale S.A. *v.* Ultramar Panama Inc. (*The Captain Gregos (No. 2)* [1990] 2 Lloyd's Rep. 395; noted [1991] LMCLQ 5 ..... 177, 179
Cie Tunisienne de Nav. S.A. *v.* Cie d'Armement Maritime S.A. [1971] A.C. 572 ..... **4**
Cisco, The [1994] 2 F.C. 279; (1993) 110 D.L.R. (4th) 583; 1994 AMC 1484 ..... **104**
City Equitable Fire Insurance Co. (*Re*) [1925] Ch. 407 ..... **340**
City of Athens (1994) 22 June (C.A., Malta) ..... **23** *et seq.*
Cityland & Property (Holdings) *v.* Dabrah [1968] 1 Ch. 166 ..... 545, 546
Clan Gordon, The [1924] A.C. 100; (1923) 17 Ll.L.Rep. 120 ..... **223**, 224, **226**
Clandown Colliery Co. (*Re*) [1915] 1 Ch. 369 ..... 124, 126
Clark *v.* Cort (1840) Cr. & Ph. 154 117
Clark Boyce *v.* Mouat [1994] 1 A.C. 428 ..... **350**, 357
Claybridge Shipping Co. S.A. (*Re*) [1981] Com. L.R. 107 ..... 115, **120**, *et seq.*
Clayton's Case (1817) 1 Mer. 572 448
Clopham *v.* Gallant, 1 Com. Dig. 533 243
Clough Mill Ltd. *v.* Martin [1985] 1 W.L.R. 111; noted [1992] LMCLQ 35 ..... 472, 474, 476
Co. Nov. Merabello San Nicholas S.A. (*Re*) [1973] Ch. 75 53
Coal Distributors *v.* National Westminster Bank, Unreported 333
Cochrane *v.* Green (1860) 9 C.B. (N.S.) 448 117
Cockerell *v.* Barber (1810) 16 Ves. 461; 33 E.R. 1059 ..... **504**
Coldunell *v.* Gallon [1986] 1 Q.B. 1184 ..... **552**, 558
Colima, The (1897) 82 Fed. Rep. 665 ..... **230**
Colonia Versicherung A.G. *v.* Amoco Oil Co. (*The Wind Star*) [1995] 1 Lloyd's Rep. 570 ..... **316** *et seq.*
Coloroll Pension Trustees *v.* Russell, 1994 P.L.R. 211 430
Comex Houlder Diving Ltd. *v.* Colne Fishing Co. Ltd., 1987 S.L.T. 443 441
Commercial Bank of Australia *v.* Amadio (1983) 151 C.L.R. 447 ..... **333–334**, 538, 539, **540**, 542, **543**, 545–547, **549**, 550, 551, **553**, 554, 556
Commission des normes du travail *v.* Les Croisières Navimex Inc. (1992) 61 F.T.R. 243 ..... **94**
Commissioner of State Revenue *v.* Royal Insurance Australia Ltd. (1994) 126 A.L.R. 1 ..... **369**
Commonwealth of Australia *v.* Verwayen (1990) 170 C.L.R. 394 ..... 541, 542
Commonwealth *v.* Kelinson (1962) 184 A. 2d 374 427
Compatex *v.* Labow (1986) 783 F. 2d 333 (2d Cir.) 496
Complaint of Hercules Carriers Inc. (M.D. Fla. 1983); *aff'd* Hercules Carriers Inc. *v.* Claimant State of Florida (1985) 768 F. 2d 1558 85
Complaint of *The Dodge* (1961) 282 F. 2d 86 77
Continental Illinois National Bank & Trust Co. *v.* Alliance Assurance Co. Ltd. (*The Captain Panagos D.P.*) [1989] 1 Lloyd's Rep. 33 306
Contship America, The [1992] 1 N.Z.L.R. 425 186
Cook *v.* Cook (1986) 162 C.L.R. 376 215
Cooke *v.* Clayworth (1888) 40 Ch. D. 312 553
Coomber (*Re*) [1911] 1 Ch. 723 351
Cooper *v.* National Provincial Bank Ltd. [1946] K.B. 1 333
Cooper Stevedoring Co. *v.* Fritz Kopke Inc., 1974 AMC 537; (1974) 417 U.S. 106 10
Copeman *v.* Gallant (1716) 1 P. Wms. 314; 24 E.R. 404 ..... 243, 261
Coral, The (1994) 33 N.S.W.L.R. 373; [1993] 1 Lloyd's Rep. 1 ..... **394–395**, 421
Corinthean Trader, The, A.J. Brussels, 24.10.74; [1974] Rechtsfr. Antw. 149 146
Cornhill Ins. Plc *v.* Improvement Services Ltd. [1986] 1 W.L.R. 114 115
Council of the Shire of Sutherland *v.* Heyman (1985) 157 C.L.R. 424 ..... **214**, 215, **219**
County of St Paul No. 19 and Genereux Workshop (Bonnyville) Ltd. (*Re*) (1984) 12 D.L.R. (4th) 238 398
Cremdean Properties *v.* Nash (1977) 244 E.G. 547 469
Cresswell *v.* Potter [1978] 1 W.L.R. 255 ..... **547–548**, 551, 554
Crigglestone Coal Co. Ltd. (*Re*) [1906] 2 Ch. 327 ..... 111, **124**, 126
Crisp *v.* Prat (1639) March 34; also reported as Crisp *v.* Pratt (1639) Cro. Car. 548; 79 E.R. 1072 ..... **245**
Crown III, The, A.J. Antwerp, 7.5.71, Unreported 138
Crowther *v.* Shannon Motors Co. [1975] 1 All E.R. 139 194
Currie *v.* M'Knight [1897] A.C. 97 103
Cuzco II, The, A.J. Antwerp, 8.10.81; [1915] E.T.L. 334 146
Cypriot Mariner, The, A.J. Antwerp, 10.5.84; [1985] E.T.L. 254 ..... 143, 145

D & F Estates *v.* Church Commissioners [1989] A.C. 177 ..... **327**, 331
D.P.P. (*Re*) *v. Ex p.* Lawler (1994) 119 A.L.R. 655 ..... **397**

Page numbers in **bold** type indicate where the details of a particular case are examined.

Daly *v.* Sydney Stock Exchange (1986) 160 C.L.R. 371 402
Danbox, The, C.A. Antwerp, 16.1.91; [1993] Rechtsfr. Antw. 34 ..... 143, 145
Danica Brown, The (1994) 1 November, Unreported 229
Daniels *v.* Daniels [1978] Ch. 406 341
D'Arnay *v.* Chesneau (1845) 13 M. & W. 796; 153 E.R. 344 246
Darlington Borough Council *v.* Wiltshier Northern Ltd. [1995] 1 W.L.R. 68 458
Dateline Nav. Co. *v.* Global Container Lines (Bahamas) Ltd. (1992) 58 F.T.R. 78 ..... **95, 96**
David Securities Pty. Ltd. *v.* Commonwealth Bank of Australia (1992) 175 C.L.R. 353 ..... 363, 371
Davies *v.* Directloans Ltd. [1986] 1 W.L.R. 823 ..... 558, **559**
De Sayve *v.* De La Valdene (1953) 124 N.Y.S. 2d 143 (S.C.) **502**
Dean *v.* Ainley [1987] 1 W.L.R. 1729 28
Deeny *v.* Gooda Walker [1994] 7 October, *The Times* 43
Deichland, The [1990] 1 Q.B. 361 ..... **31**, 32, 166, 301
Deifovos, The, A.J. Antwerp, 24.10.80; [1979–1980] Rechtsfr. Antw. 456 ..... 141, 146, 148
Delfini, The [1990] 1 Lloyd's Rep. 252; noted [1990] LMCLQ 1 ..... 158, 189, **295**
Democritos, The [1976] 2 Lloyd's Rep. 149 319
Denton's Estate (*Re*) [1904] 2 Ch. 178 335
Derby, The, C.A. Ghent, 31.3.83; [1983–1984] Rechtsfr. Antw. 77; *aff'd* A.J. Ghent, 7.6.81, Unreported; [1985] 2 Lloyd's Rep. 325 ..... 136, 138, 146, 229
Despina R, The [1979] A.C. 685 ..... **510–511**
Deutsche Schachtbau-und Tiefbohrgesellschaft m.b.H. *v.* R'as al-Khaimah National Oil Co. (No. 1) [1990] 1 A.C. 295; [1987] 1 Lloyd's Rep. 246; *rev'sd on other grounds* [1990] 1 A.C. 295 389
Devine Shipping Pty. Ltd. *v.* The owners of the ship *B.P. Melbourne* (1994) Unreported 390, **396–397**
Di Ferdinando *v.* Simon Smits & Co. Ltd. [1920] 3 K.B. 409 ..... **504, 506**
Diamond *v.* Bank of London & Montreal [1979] Q.B. 333 524
Die Deutsche Bank filiale Nurenberg *v.* Humphrey (1926) 272 U.S. 517 ..... 499, **501–502**
Dillon *v.* Baltic Shipping Co. [1990] 1 Lloyd's Rep. 579; (1991) 22 N.S.W.L.R. 1; (1993) 176 C.L.R. 344; noted [1991] LMCLQ 326, 337; [1992] LMCLQ 351, 373; [1994] LMCLQ 407, 415 388
Dillon *v.* Baltic Shipping Co. (*The Mikhail Lermontov*) (1994) 1 and 13 September, Unreported **388–389**
Dillon *v.* Baltic Shipping Co. (*The Mikhail Lermontov*) (Nos 3, 4 and 5) (1994) 13 May, Unreported **388–389**
Dione, The [1974] 1 Lloyd's Rep. 86 ..... 319, 321
Diplock (*Re*) [1948] Ch. 465; *aff'd on other points* [1951] A.C. 251 ..... 242, 265, 267, 450, **454**
Dixie Bonded Warehouse and Grain Co. Inc. *v.* Allstate Finance Co. (1991) 775 F. Supp. 1543; (1991) 944 F. 2d 819 427
Dole Dried Fruit & Nut Co. *v.* Trustin Kerwood Ltd. [1990] 2 Lloyd's Rep. 309 117
Dole Fresh Fruit International Ltd. *v.* The *Kapetan Leonidas*, 1995 (3) S.A. 112 (A) **564**
Dollar Land Holdings Plc (*Re*) [1994] 1 B.C.L.C. 404 ..... 121, **122**
Donoghue *v.* Stevenson [1932] A.C. 562 ..... 205, 206, 211, 214, 433
Draper *v.* Rastal (1605) Cro. Jac. 88; 79 E.R. 75 ..... **505**
Dresser *v.* Falcongate Freight Management Ltd. (*The Duke of Yare*) [1992] 1 Q.B. 503; [1991] 2 Lloyd's Rep. 577; noted [1992] LMCLQ 150 ..... 166, **186**, 301
Dreyfus (Louis) & Cie *v.* Parnaso Cia Naviera S.A. [1960] 2 Q.B. 49 299
Dubai Electricity Co. *v.* Islamic Republic of Iran Shipping Lines (*The Iran Vojdan*) [1984] 2 Lloyd's Rep. 380 ..... **3**
Dudgeon *v.* Pembroke (1877) 2 A.C. 284 396
Duke of Yare, The [1992] 1 Q.B. 503; [1991] 2 Lloyd's Rep. 557; noted [1992] LMCLQ 150 ..... 166, **186**, 301
Dumas, *ex p.* (1754) 1 Atk. 232; 26 E.R. 149; 2 Ves. Sen. 581; 28 E.R. 372 261
Dummelow (*Re*) (1873) L.R. 8 Ch. App. 997 121
Duncan (W.W.) & Co. (*Re*) [1905] 1 Ch. 307 ..... **513**
Duncan Stevenson Macmillan *v.* A.W. Knott Becker Scott Ltd. [1990] 1 Lloyd's Rep. 98 ..... **51, 52**
Dunlop Pneumatic Tyre Co. *v.* New Garage and Motor Co. [1915] A.C. 79 557
Dusik *v.* Newton (1985) 62 B.C.L.R. 1 547
Dynamics Corp. of America (in liq.) (*Re*) [1976] 1 W.L.R. 757 ..... **512–514**, 515

E.E. Sharp & Son Ltd. *v.* The *Nefeli*, 1984 (3) S.A. 325 (C) 563, **567–568**
Earl of Aylesford *v.* Morris (1873) 8 Ch. D. 484 ..... 545, 550, 551
Earl of Chesterfield *v.* Janssen (1751) 2 Ves. Sen. 125 548
East Cross Sea Transport Inc. *v.* Elgin Brown & Hamer (Pty.) Ltd., 1992 (1) S.A. 102 (D) 564, 566–568
East Ham Corp. *v.* Bernard Sunley and Sons Ltd. [1966] A.C. 406 ..... 458, **460**

Page numbers in **bold** type indicate where the details of a particular case are examined.

East India Company *v.* Ekines (1718) 2 Brown 382; 1 E.R. 1011 ..... **506**
Eastern Trust, The [1994] 2 S.L.R. 526 ..... 185, **189**
Eco Isabella, The, A.J. Antwerp, 15.2.85, Unreported; A.J. Antwerp, 20.6.85, Unreported 137
Edgington *v.* Fitzmaurice (1885) 29 Ch. D. 459 477
Edwards' Estate (*Re*) (1861) 11 Ir. Ch. Rep. 367 546
Effer *v.* Kantner (Case 38/81) [1982] ECR 825 165
El Ajou *v.* Dollar Land Holdings [1993] 3 All E.R. 717; [1994] 2 All E.R. 685 ..... 200, **335**, 451
El Ajou *v.* Dollar Land Holdings Plc (No. 2) [1995] 2 All E.R. 213 448
El Ajou *v.* Dollar Land Investments Plc [1993] 3 All E.R. 717; *rev'sd on other grounds* [1994] 2 All E.R. 685 402
El Amaan, The, A.J. Antwerp, 21.11.86, Unreported 137, 146
El Amria, The [1981] 2 Lloyd's Rep. 119 ..... 183, 187, 188
Eldan Services Ltd. *v.* Chandag Motors Ltd. [1990] 3 All E.R. 459 402
Elder Dempster & Co. Ltd. *v.* Paterson Zochonis & Co. Ltd. [1924] A.C. 522 186
Eleftheria, The [1969] 1 Lloyd's Rep. 237 ..... 183, 187, 188
Elgindata Ltd. (*Re*) [1991] B.C.L.C. 959 ..... **339**
Elliott Steam Tug Co. Ltd. *v.* The Shipping Controller [1922] 1 K.B. 127 ..... **206**, 207, 210, 211, 212
Ellis, *ex p.* (1742) 1 Atk. 101; 26 E.R. 66 243
Eloc Electro-Optiek and Commienicatie B.V. (*Re*) [1982] Ch. 43 53
Empire Jamaica, The [1957] A.C. 386; [1956] 2 Lloyd's Rep. 119 ..... **229**
Empire Stores Ltd. *v.* Commissioners of Customs and Excise (1994) 2 June, Unreported (Case C–33/93) 432
Engine and Leasing Co. *v.* Atlantic Towing Ltd. (1992) 51 F.T.R. **102**
Epimenides, The [1987] E.T.L. 561; [1986] Rechtsfr. Antw. 141 153
Epos, The, A.J. Antwerp, 24.3.88; [1988] E.T.L. 456 ..... 141, 143, 149
Erie Railroad Co. *v.* Tompkins (1938) 304 U.S. 64 502
Esal (Commodities) Ltd. (*Re*) [1985] B.C.L.C. 450 111
Esso Australia Resources *v.* Plowman (1995) 7 April, H.C.A. 417
Euroactividade AG *v.* Mason Investments Ltd. [1994] N.P.C. 55 454
Euromarine International of Mauren *v.* The Ship *Berg*, 1984 (4) S.A. 647 (N) **569**
European Assurance Soc., Arbitration (Wallberg's Case) (1872) 17 S.J. 69 ..... **513**
European Enterprise, The [1989] 2 Lloyd's Rep. 185 159
Eurymedon, The [1975] A.C. 154 177
Eves *v.* Eves [1975] 1 W.L.R. 1338 541
Evia, The (No. 2) [1983] 1 A.C. 736 319
Evmits, The, A.J. Antwerp, 18.12.80, Unreported 146
Exxon Valdez, The (1994) 14 June, *New York Times* 228

FSA Business Software Ltd. (*Re*) [1990] B.C.L.C. 825; [1990] B.C.C. 465 ..... **119**
Fairclough *v.* Swan Brewery Co. [1912] A.C. 565 546
Fanti, The, and the *Padre Island* [1991] 2 A.C. 1 ..... **38**, **44**, 45–49
Farr *v.* Newman (1792) 4 T.R. 621; 100 E.R. 1209; 4 E. & E. 629 ..... 243, **245**, **246**
Farrandoc, The [1967] 1 Lloyd's Rep. 232; *aff'd* [1967] 2 Lloyd's Rep. 276 ..... **277**, 235
Farrell *v.* Federated Employers Ins. Assoc. Ltd. [1970] 2 Lloyd's Rep. 170 ..... **43**
Fayrouz III, The, A.J. Antwerp, 26.8.88; [1988] E.T.L. 683 ..... 134, 137, 146
Federal Calumet, The [1992] 3 F.C. 98; (1993) 144 N.R. 70; (1993) 150 N.R. 149; 1993 AMC 825; (1993) 56 F.T.R. 207 ..... **91**, **99**, **100**
Federal Commerce & Nav. Co. *v.* Molena Alpha Inc. (*The Nanfri*) [1978] Q.B. 927; [1979] A.C. 757 ..... 117, 321
Federal Commerce and Navigation Co. Ltd. *v.* Tradax Export S.A. (*The Maratha Envoy*) [1977] Q.B. 324 ..... **510**
Federal Huron, The [1985] 2 Lloyd's Rep. 189 ..... **512**
Felice, The [1990] 2 Lloyd's Rep. 21 ..... **50**, **51**
Fethers (George) & Co. Trading Pty. Ltd. *v.* Yangming Marine Transport Corp. (1994) Unreported **385–386**
Fibrosa Spolka Akcyjna *v.* Fairbairn Lawson Combe Barbour Ltd. [1943] A.C. 32 471
Field *v.* Hopkins (1890) 44 Ch. D. 524 546
Filiatra Legacy, The [1991] 2 Lloyd's Rep. 337 306
Fils et Cables d'Acier de lens *v.* Midland Metals (1984) 584 F. Supp. 240 495
Firma C-Trade S.A. *v.* Newcastle Protection & Indemnity Assoc. (*The Fanti and the Padre Island*) [1991] 2 A.C. 1 ..... **38**, **44**, 45–49
Five Minute Car Wash Service Ltd. (*Re*) [1966] 1 W.L.R. 745 ..... 339, **341**

Page numbers in **bold** type indicate where the details of a particular case are examined.

Flanders Harmony, The, A.J. Dendermonde, 20.9.92; [1993] E.T.L. 561 ..... 143, 146
Fletcher Panel Industries Ltd. *v.* Ports of Auckland Ltd. [1992] 2 N.Z.L.R. 231 170
Folias, The [1979] A.C. 685 ..... **510–511**
Forster *v.* Outred [1982] 1 W.L.R. 86 38
Forte's (Manufacturing) Ltd. (*Re*) [1994] B.C.C. 84 108
Forum Craftsman, The [1985] 1 Lloyd's Rep. 291 ..... **186**
Foss *v.* Harbottle (1843) 2 Hare 461 ..... 337, 341
Frank and Peter, The, Ct. of Cassation, 18.9.81; [1982] E.T.L. 392; [1981–1982] Rechtsfr. Antw. 424; *aff'd* C.A. Antwerp, 22.12.77; [1977–1978] Rechtsfr. Antw. 221; *aff'd* A.J. Antwerp, 14.12.77; [1977–1978] Rechtsfr. Antw. 227 146
Frank Pais, The [1986] 1 Lloyd's Rep. 529 188
Franke *v.* C.I.C. General Insurance Ltd. (*The Coral*) (1994) 33 N.S.W.L.R. 373 ..... **394–395**
Freccia del Nord, The [1989] 1 Lloyd's Rep. 388 301
Freeman & Lockyer *v.* Buckhurst Properties [1964] 1 Q.B. 480 ..... **378**
Freshpac Machinery Pty. Ltd. *v.* The ship *Joana Bonita* (1994) 125 A.L.R. 683 ..... **391–392**
Frinton, The [1990] 2 H.K.L.R. 700 ..... **188**
Frontera Transportation Co. *v.* Abaunza (1981) 271 F. 199 (5th Cir.) 496, 498, 502
Fry *v.* Lane (1888) 40 Ch. D. 312 ..... 545, 547, 548, 551, 552, 554, 559
Fulham F.C. *v.* Cabra Estates [1992] B.C.C. 863 382

G.W. Atkins Ltd. *v.* Scott (1980) 7 Const. L.J. 215 458
Gala *v.* Preston (1991) 172 C.L.R. 243 ..... 327, 330
Gallagher *v.* Shilcock [1949] 2 K.B. 765 ..... 472, **473**, 475, 476
Garden City, The [1982] 2 Lloyd's Rep. 382 ..... 232, **233–235**
Gardner *v.* Rowe (1828) 5 Russ. 258; 38 E.R. 1024 247
Gatt *v.* Bianchi (*The Karthago*) (1992) 16 October (C.A., Malta) 24
George Fethers & Co. Trading Pty. Ltd. *v.* Yangming Marine Transport Corp. (1994) Unreported **385–386**
George (Porky) Jacobs Enterprises Ltd. *v.* City of Regina (1964) 44 D.L.R. (2d) 179 363
Gesellschaft Burgerlichen Rechts *v.* Stockholms Rederi. Svea (*The Brabant*) [1967] 1 Q.B. 588; [1965] 2 Lloyd's Rep. 546 ..... **230**
Gilchrist Watt Pty. Ltd. *v.* York Products Pty. Ltd. [1970] 1 W.L.R. 1262 180
Gilford Motor Co. *v.* Horne and Another [1933] All E.R. 109 571
Gissing *v.* Gissing [1971] A.C. 886 541
Gladstone *v.* Hadwen (1813) 1 M. & S. 195; 105 E.R. 193 ..... **246, 247, 250**, 259, **262**, 402
Glebe Island Terminals Pty. Ltd. *v.* Continental Seagram Pty. Ltd. (*The Antwerpen*) [1994] 1 Lloyd's Rep. 213 387
Glenochil, The [1896] P. 10 ..... **223**
Gold Hill Mines (*Re*) (1883) 23 Ch. D. 210 ..... **112, 113**
Goldcorp Exchange Ltd. (*Re*) [1995] 1 A.C. 74 ..... 402, **447, 449**, 450
Goldsborough, Mort & Co. Ltd. *v.* Hall (1949) 78 C.L.R. 1 505
Golightly *v.* Reynolds (1772) Lofft 88; 98 E.R. 547 ..... **251**
Good Hope Chemical Corp. (*Re*) (1984) 747 F. 2d 806 495
Goode Durrant Administration *v.* Biddulph [1994] 2 F.L.R. 551 353
Gosse Millerd Ltd. *v.* Canadian Government Merchant Marine Ltd. (1929) 32 Ll.L.Rep. 91; [1928] 1 K.B. 717; (1927) 29 Ll.L.Rep. 190 ..... **223**
Grand Champion Tankers Ltd. *v.* Norpipe A/S (*The Marion*) [1984] A.C. 563; [1984] 2 Lloyd's Rep. 1 232
Grant *v.* Edwards [1986] Ch. 638 ..... **541**, 542
Grant *v.* Norway (1851) 10 C.B. 665 170
Grant *v.* U.K. Switchback Ry (1888) 40 Ch. D. 135 374
Gratitudine, The (1801) 3 C. Rob. 240 484
Grealish *v.* Murphy [1946] I.R. 35 552
Greasley *v.* Cooke [1980] 1 W.L.R. 1306 541
Great China Metal Industries Co. Ltd. *v.* Malaysian International Shipping Corp. Berhad (*The Bunga Seroja*) [1994] 1 Lloyd's Rep. 455; noted [1994] LMCLQ 407, 412 386
Great Lakes Dredge & Dock Co. *v.* Tanker Robert Watt Miller, 1992 AMC 2310; (1992) 957 F. 2d 1575 10
Greenmar Navigation Ltd. *v.* Owners of the ship *Bazias 3* (*The Bazias 3* and *Bazias 4*) [1993] 1 Lloyd's Rep. 101 392
Gregos, The [1994] 1 W.L.R. 1461 (H.L.); *rev'sg* [1993] 2 Lloyd's Rep. 335 (C.A.); *rev'sg* [1992] 2 Lloyd's Rep. 40 ..... 158, **318** *et seq.*

Page numbers in **bold** type indicate where the details of a particular case are examined.

Greystoke Castle, The [1947] A.C. 265 ..... **209, 210**
Grupo Torras S.A. *v.* Sheikh Fahad [1994] 16 February, Unreported 43
Gubisch Maschinenfabrik K.G. *v.* Palumbo (Case 144/86) [1987] ECR 4861 164
Gudermes, The [1993] 1 Lloyd's Rep. 311 158
Guinness *v.* Miller (1923) 291 F. 769 (S.D.N.Y.) 495
Guinness Plc *v.* Saunders [1990] 2 A.C. 663; [1988] 1 W.L.R. 863 ..... **375–377**, 379, 380
Gulf Venture, The [1984] 2 Lloyd's Rep. 445 391
Guyane, The, A.J. Dendermonde, 10.11.92; [1994] E.T.L. 337 146

H.R. Harmer Ltd. (*Re*) [1959] 1 W.L.R. 62 ..... **339**
Habib Bank *v.* Lloyds Bank [1981] 1 W.L.R. 1265 541
Hadley *v.* Baxendale (1854) 9 Ex. 341 106
Halcyon the Great, The [1975] 1 W.L.R. 515 506–508
Hallett's Estate (*Re*) (1880) 13 Ch. D. 696 ..... **266**, 268, 448
Halley, The (1868) L.R. 2 P.C. 193 ..... 519, 522
Halt Garage (1964) Ltd. (*Re*) [1982] 3 All E.R. 1016 383
Hamilton *v.* Watson (1845) 12 Cl. & F. 109 ..... **332**, **336**, 337, **357**, 358
Hampton *v.* Glamorgan County Council [1917] A.C. 13 398
Hanak *v.* Green [1958] 2 Q.B. 9 117
Hardingham *v.* Nicholls (1745) 3 Atk. 304; 26 E.R. 977 400
Harker *v.* Hoppe (1931) 257 N.Y. 333; 178 N.E. 550 499
Harmer (H.R.) Ltd. (*Re*) [1959] 1 W.L.R. 62 ..... **339**
Harpers Trading (Singapore) Pte. Ltd. *v.* R.F.L. International Ltd. (*The Planeta*) (1994) Unreported **387**
Harrington *v.* Macmorris (1805) 5 Taunt. 228; 128 E.R. 675 ..... **505**
Harrington Motor Co. Ltd. (*Re*) [1928] Ch. 105 ..... **36**
Harris *v.* Truman (1881) 7 Q.B.D. 340; *aff'd* (1882) 9 Q.B.D. 264 263
Harry *v.* Kreutziger (1978) 95 D.L.R. (3d) 231 547
Hart *v.* O'Connor [1985] A.C. 1000 ..... **538**, 539, 540, **543**, 545, **548**, **549**, 550, 552, 554
Hasselbacher Papier Import and Export *v.* The *Stavroula*, 1987 (1) S.A. 75 (C) 563, 567
Hassneh Ins. Co. *v.* Mew [1993] 2 Lloyd's Rep. 243 416
Hawkins *v.* Clayton (1988) 164 C.L.R. 539 330
Hazell *v.* Hammersmith & Fulham L.B.C. [1992] 2 A.C. 1 314
Head *v.* Tattersall (1871) L.R. 7 Ex. 7 ..... 471, 474
Head & Sons *v.* Showfronts Ltd. [1970] 1 Lloyd's Rep. 140 471
Healy *v.* Healy [1915] 1 K.B. 938 263
Hearn *v.* Hearn [1969] 1 W.L.R. 1832 475
Hector Steamship *v.* V/O Sovfracht [1945] K.B. 343 319
Hedley Byrne & Co. Ltd. *v.* Heller and Partners Ltd. [1964] A.C. 465 ..... 101, 106, 206, 209, 210
Heinrich J, The, Ct. of Cassation, 1.10.93; [1984] E.T.L. 24; *aff'd* C.A. Antwerp, 27.6.91; [1993] Rechtsfr. Antw. 43 ..... 135, 143, 149
Hellenic Dolphin, The [1978] 2 Lloyd's Rep. 336 ..... **238**
Hely-Hutchinson *v.* Brayhead [1968] 1 Q.B. 549 ..... 379, 380
Henderson *v.* Merrett Syndicates Ltd. [1994] 3 W.L.R. 761; [1994] 2 Lloyd's Rep. 468 ..... 328, 331, 574
Henry Kendall & Sons *v.* William Lillico & Sons Ltd., *sub nom.* Hardwick Game Farm *v.* S.A.P.P.A. [1969] 2 A.C. 31 192
Hercules Carriers Inc. *v.* Claimant State of Florida (1985) 768 F. 2d 1558 85
Heyman *v.* Puerto Rico Marine Management, 1992 AMC 2654 12
Heyting *v.* Dupont [1963] 1 W.L.R. 1192; *aff'd* [1964] 1 W.L.R. 843 341
Hicks *v.* Guinness (1925) 269 U.S. 71 ..... 499, **500**, 501
Hillel *v.* Christoforides (1991) 63 P. & C.R. 301 456
Holdich's Case (1872) L.R. 14 Eq. 72 ..... **513**
Hollandia, The [1983] A.C. 565 188
Home Assurance Assoc. (No. 2) (*Re*) (1871) L.R. 12 Eq. 112 108
Home Office *v.* Dorset Yacht Co. Ltd. [1970] A.C. 1004 211
Home & Overseas Ins. Co. Ltd. *v.* Mentor Ins. Co. (U.K.) Ltd. [1989] 1 Lloyd's Rep. 473 ..... **46–48**
Hong Kong Fir Shipping Co. Ltd. *v.* Kawasaki Kisen Kaisha Ltd. (*The Hongkong Fir*) [1962] 2 Q.B. 26; [1961] 2 Lloyd's Rep. 478; [1961] 1 Lloyd's Rep. 159 ..... 158, **223**, 228, **233**
Hontestroom, The and the *Sagaporack* [1927] A.C. 37 306
Hood's Trustees *v.* Southern Union General Ins. Co. of Australasia Ltd. [1928] Ch. 793 36
Hopkins *v.* Mackenzie [1994] 3 November, *The Times* **38**
Hoppe *v.* Russo-Asiatic Bank (1923) 235 N.Y. 37; 138 N.E. 497 ..... 499, 502

Page numbers in **bold** type indicate where the details of a particular case are examined.

Hornal *v.* Neuberger Products Ltd. [1957] 1 Q.B. 247 306
Houda, The [1994] 2 Lloyd's Rep. 541; *rev'sng* [1993] 1 Lloyd's Rep. 333; noted [1993] LMCLQ 40 ..... **289** *et seq.*
House of Spring Gardens Ltd. *v.* Waite [1991] 1 Q.B. 241 ..... 422, 440
Howard *v.* Jemmett (1763) 3 Burr. 1368; 97 E.R. 878 ..... 243, **244**, 246, **248**, **249**
Howard Smith *v.* Ampol Petroleum [1974] A.C. 821 ..... 374, **382**, 383
Howe *v.* Smith (1884) 27 Ch. D. 89 474
Hrynyk *v.* Hrynyk (1932) 1 D.L.R. 672 ..... 539, 551, 554
Huffman & Leduc *v.* Canada (1993) 55 F.T.R. 126 ..... **98**
Humber Ironworks & Shipbuilding Co. (*Re*) (1869) L.R. 4 Ch. App. 646 ..... **513**
Humuletsi, The, Adm in Rem No. 312 of 1990, Unreported 185
Hunter *v.* Potts (1815) 4 Camp. 203 223
Hurona, The (1920) 268 F. 911 (S.D.N.Y.) 499
Hussein *v.* Mehlman [1992] 2 E.G.L.R. 87 538
Hussey *v.* Palmer [1972] 1 W.L.R. 1286 541
Hutton *v.* West Cork Ry (1883) 23 Ch. D. 654 375
Hydro Electric Commission of Nepean *v.* Ontario Hydro (1982) 132 D.L.R. (3d) 193 ..... **363**

IRC *v.* Crossman [1937] A.C. 26 515
Ibbs *v.* Richardson (1839) 9 Ad. & El. 849 344
Ikarian Reefer, The [1995] 1 Lloyd's Rep. 455; [1993] 2 Lloyd's Rep. 68 ..... **305** *et seq.*
Ilich *v.* R. (1987) 162 C.L.R. 110 254
Imodco Ltd. *v.* Wimpey Major Projects Ltd. (1987) 40 B.L.R. 1 ..... 29, 458
In the matter of Federal's Inc. (1977) 553 F. 2d 509 427
In the matter of the complaint of Ballard Shipping Co., 1993 AMC 1413 208
Inche Noriah *v.* Shaik Allie Bin Omar [1929] A.C. 127 ..... 351, **355**
Indian Endurance, The [1993] A.C. 410; *sub nom. The Indian Grace* [1993] 1 Lloyd's Rep. 387; noted [1993] LMCLQ 451 441
Indian Oil Corp. *v.* Greenstone Shipping S.A. (*The Ypatianna*) [1988] Q.B. 345 159
Insurance Co. *v.* Lloyd's Syndicate [1995] 1 Lloyd's Rep. 272 416
Interfoto Picture Library Ltd. *v.* Stiletto Visual Programmes Ltd. [1989] 1 Q.B. 433; noted [1988] LMCLQ 294 184
International Commercial Bank *v.* Insurance Corp. of Ireland [1991] 1 L.R.M. 726 ..... **335**
International Factors Ltd. *v.* Rodriquez [1979] Q.B. 351 263
International Minerals and Chemicals Corp. (Canada) Ltd. *v.* Canada (Minister of Transport) [1993] 1 F.C. 559; (1993) 58 F.T.R. 302 ..... **94**
International Silk Guild Inc. *v.* Rogers (1958) 262 F. 2d 219 496
Inverugie Investments Ltd. *v.* Hackett [1995] 1 W.L.R. 713 ..... **343** *et seq.*
Investors Protection Co. Ltd. *v.* Ray Courney Architects Ltd. (1993) 7 P.R.N.Z. 1 398
Ion, The [1971] 1 Lloyd's Rep. 541 ..... **27**
Iran Vojdan, The [1984] 2 Lloyd's Rep. 380 ..... **3**
Irish Rowan, The [1989] 2 Lloyd's Rep. 144 ..... **52**
Irish Shipping Ltd. *v.* Commercial Union Assurance Co. Plc (*The Irish Rowan*) [1989] 2 Lloyd's Rep. 144 ..... **52**
Island Territory of Curacas *v.* Solitron Devices Inc. (1973) 356 F. Supp. 1 (S.D.N.Y.); *aff'd* 489 F. 2d 1313 (2d Cir.); *cert. denied* (1974) 416 U.S. 986 496
Italia Express, The [1992] 2 Lloyd's Rep. 281 ..... 38, **48**

J. Leslie (Engineers) Ltd. (*Re*) [1976] 1 W.L.R. 292 265
J. A. Pye (Oxford) Estates *v.* Ambrose (21 March 1994) Unreported (Lexis) 546, 548, **554**, 559
J. B. Swaine Ltd. (*Re*) [1965] 1 W.L.R. 909 ..... **124**, **125**
J. E. Cade & Son Ltd. (*Re*) [1992] B.C.L.C. 213 ..... **130**
Jackson *v.* Horizon Holidays Ltd. [1975] 1 W.L.R. 1468 460
Jacob and Youngs *v.* Kent (1921) 129 N.E. 889 (N.Y. C.A.) **458**
Jacobs (George (Porky)) Enterprises Ltd. *v.* City of Regina (1964) 44 D.L.R. (2d) 179 363
Jaensch *v.* Coffey (1984) 155 C.L.R. 549 215
Jacqueline V, The, Comm. Ct. Antwerp, 12.5.76; [1975–1976] Rechtsfr. Antw. 281 137
Jalamohan, The [1988] 1 Lloyd's Rep. 443 156
Jamaica Nutrition Holdings Ltd. *v.* United Shipping Co. (1981) 643 F. 2d 376 (5th Cir.) 496
James *v.* Kerr (1889) 40 Ch. D. 449 546
James Roscoe (Bolton) Ltd. *v.* Winder [1915] 1 Ch. 62 ..... 447, 450

Page numbers in **bold** type indicate where the details of a particular case are examined.

James W. Elwell, The [1921] P. 351 397
Janeash Ltd. (*Re*) [1990] B.C.C. 250 114
Jarvis *v.* Swan Tours Ltd. [1973] Q.B 233 460
Jean Kraut A.G. *v.* Albany Fabrics Ltd. [1977] Q.B. 182 ..... **510**
Jennings *v.* Ward (1705) 2 Vern. 520 546
Jervis Crown, The [1994] 2 F.C. 318; (1993) 71 F.T.R. 47; [1992] 1 S.C.R. 1021; (1992) 91 D.L.R. (4th) 289; 1992 AMC 1910 ..... **90**, 92
Jocelyne, The, A.J. Antwerp, 21.10.80, Unreported 146
John Kaldor Fabricmaker Pty. Ltd. *v.* Mitchell Cotts Freight (Aust.) Pty. Ltd. (1989) 18 N.S.W.L.R. 173 389
John Mackintosh & Sons Ltd. *v.* Baker's Bargain Stores (Seaford) Ltd. [1965] 1 W.L.R. 1182 110
Johnson *v.* Agnew [1980] A.C. 367 471
Johnson *v.* Coventry Churchill International Ltd. [1992] 3 All E.R. 14 519
Johnson Matthey & Co. Ltd. *v.* Constantine Terminals Ltd. [1976] 2 Lloyd's Rep. 215 179
Joint Stock Society *v.* 1201 [1994] 2 F.C. 265; (1994) 72 F.T.R. 211; 1994 AMC 1166 ..... **103**
Jordan Nicolov, The [1990] 2 Lloyd's Rep. 11 ..... **50**, 51
Jugoslavenska Oceanska Plovidba *v.* American Smelting and Refining Co. (*The Admiral Zmajevic*) [1983] 2 Lloyd's Rep. 86 237
Jugoslavenska Oceanska Plovidba *v.* Castle Investment Co. Inc. [1974] 1 Q.B. 292 508
Junior Books Ltd. *v.* Veitchi Ltd. [1983] 1 A.C. 520 ..... 328, 330
Jute Express, The [1991] 2 Lloyd's Rep. 55 ..... **238**

K *v.* K [1976] 2 N.Z.L.R. 31 ..... 538, 539, 551–554
K/S A/S Bani *v.* Korea Shipbuilding & Engineering Corp. [1987] 2 Lloyd's Rep. 445 21
Kaldor (John) Fabricmaker Pty. Ltd. *v.* Mitchell Cotts Freight (Aust.) Pty. Ltd. (1989) 18 N.S.W.L.R. 173 389
Kalfelis *v.* Schroeder [1988] ECR 5565 ..... **522**
Kamil Export (Aust.) Pty. Ltd. *v.* N.P.L. (Aust.) Pty. Ltd. (1994) 124 A.L.R. 28 ..... 289, **297**, **387**
Kananga, The, C.A. Antwerp, 19.1.77, Unreported 146
Kanchenjunga, The [1989] 1 Lloyd's Rep. 354 ..... 320, 321
Kapetan Markos N.L., The (No. 2) [1987] 2 Lloyd's Rep. 321 179
Kapetan Pavlovic, The, A.J. Antwerp, 22.10.84, Unreported 145
Kapitan Georgis, The [1988] 1 Lloyd's Rep. 352 438
Kamos Property Co. Ltd. (*Re*) [1989] B.C.L.C. 340 110
Karthago, The (1992) 16 October (C.A., Malta) 24
Kawasaki Steel Corp. *v.* Owners of the ship *Daeyang Honey* (1993) 120 A.L.R. 109 ..... **391**
Kayford Ltd. (*Re*) [1975] 1 W.L.R. 279 257
Kelly *v.* Solari (1841) 9 M. & W. 54; 152 E.R. 24 ..... **313**
Kendall (Henry) & Sons *v.* William Lillico & Sons Ltd., *sub nom.* Hardwick Game Farm *v.* S.A.P.P.A. [1969] 2 A.C. 31 192
Ketley *v.* Scott [1981] I.C.R. 241 558
Ketteman *v.* Hansel Properties Ltd. [1987] A.C. 189 393
Kherson, The [1992] 2 Lloyd's Rep. 261 166
King *v.* Phoenix Assurance Co. [1910] 2 K.B. 666 40
Kinnear *v.* Falconfilms N.V. [1994] 3 All E.R. 42 ..... 157, 441, 442
Kinsela *v.* Russell Kinsela Pty. Ltd. (1986) 10 A.C.L.R. 395 109
Kinsman Transit Co. (*Re*) (1968) 388 F. 2d 821 ..... **204**, **205**
Kintampo, The, C.A. Ghent, 19.6.90; [1990] E.T.L. 682 ..... 139, 145–147
Kirsch & Co. *v.* Allen, Harding & Co. [1919] W.N. 301; 89 L.J.K.B. 265; 25 Com. Cas. 63 ..... **505**
Kleinwort Benson Ltd. *v.* Sandwell B.C. [1994] 4 All E.R. 890; noted [1993] LMCLQ 300; *aff'd* [1994] 1 W.L.R. 938 363
Kleinwort Benson Ltd. *v.* South Tyneside M.B.C. [1994] 4 All E.R. 972 ..... **369**
Knightsbridge Estates Trust *v.* Byrne [1939] 1 Ch. 441 (C.A.); [1940] A.C. 613 (H.L.) **546**, 553
Knitwear (T.H.) (Wholesale) Ltd. (*Re*) [1988] Ch. 275 455
Knupp *v.* Bell (1968) 67 D.L.R. (2d) 256 ..... 538, 539, 548, 552, 554
Koninklijke Rotterdamsche Lloyd (N.V.) *v.* Western S.S. Co. Ltd. (*The Empire Jamaica*) [1957] A.C. 386; [1956] 2 Lloyd's Rep. 119 ..... **229**
Kraut (Jean) A.G. *v.* Albany Fabrics Ltd. [1977] Q.B. 182 ..... **510**
Kreglinger *v.* New Patagonia Meat Co. [1914] A.C. 25 ..... **546**, 556
Kuwait Asia Bank Ltd. *v.* National Mutual Life Nominees Ltd. [1991] 1 A.C. 187 420
Kwei Tek Chao *v.* British Traders and Suppliers [1954] 2 Q.B. 459 471

Page numbers in **bold** type indicate where the details of a particular case are examined.

LAC Minerals Ltd. *v.* International Corona Resources Ltd. (1989) 61 D.L.R. (4th) 14 398
LHF Wools Ltd. (*Re*) [1970] Ch. 27 ..... **119**
La Societe de Diffusion Vinicole SA *v.* Peartree Imports Ins. Co. (1985) 609 F. Supp. 295 (S.D.N.Y.); *aff'd sub nom.* Newmont Mines Ltd. *v.* Hanover Ins. Co. (1986) 784 F. 2d 127 (2d Cir.) 496
Lacey *v.* Hill (1874) L.R. 18 Eq. 182 475
Lady Gwendolen, The [1965] P. 294; [1965] 1 Lloyd's Rep. 335 ..... 232, **235**
Lagunas Nitrate Co. *v.* Lagunas Syndicate [1899] 2 Ch. 392 ..... **340**
Lambert *v.* Lewis [1982] A.C. 225 194
Landeer, The [1955] 2 Lloyd's Rep. 554 ..... **225**
Langton *v.* Langton (24 February 1995), *The Times* 538
Lantic Sugar Ltd. *v.* Blue Tower Trading Corp. (1992) 52 F.T.R. 161; [1994] E.T.L. 286; 1994 AMC 2771 ..... **90, 91**
L'Apostre *v.* Le Plaistrier (1708), digested in 2 Eq. Cas. Abr. 113n2a; 22 E.R. 96n2a **261**
Lara S, The 1993 2 F.C. 553; (1993) 60 F.T.R. 1 ..... **92**
Lash Atlantico, The [1987] 2 Lloyd's Rep. 114 ..... **512**
Lavonia Manufacturing Co. *v.* Emery Corp. (1985) 41 U.C.C. Rep. Serv. 1172 427
Law Car and General Ins. Corp. (*Re*) [1913] 2 Ch. 103 ..... **513**
Le Lievre *v.* Gould [1893] 1 Q.B. 491 206
Learoyd *v.* Whiteley (1887) 12 App. Cas. 727 342
Leasing & Finance Services Ltd. (*Re*) [1991] B.C.C. 29 ..... 117, 122
Lebaupin *v.* Crispin [1920] 2 K.B. 714 ..... **504**
Leduc *v.* Ward (1888) 20 Q.B.D. 475 184
Lee *v.* Jones (1864) 17 C.B. (N.S.) 482 ..... **336, 337**, 356
Lee Panavision *v.* Lee Lighting [1991] B.C.C. 620 ..... **380**, 383
Lefevre *v.* White [1990] 1 Lloyd's Rep. 569 ..... **49, 50**, 51
Leger *v.* Drilling Well Control Inc., 1980 AMC 288; (1979) 592 F. 2d 1246 8
Leigh Estates (UK) Ltd. (*Re*) [1994] B.C.C. 292 ..... **125, 126**
Leigh and Sillavan Ltd. *v.* Aliakmon Shipping Co. Ltd. (*The Aliakmon*) [1986] A.C. 785; noted [1986] LMCLQ 294 ..... **208, 209**, 210
Lempke *v.* Dagenais (1988) 547 A 2d 290 329
Leni, The [1992] 2 Lloyd's Rep. 48 50
Lennard's Carrying Co. Ltd. *v.* Asiatic Petroleum Co. Ltd. [1915] A.C. 705 ..... **231**
Leslie (J.) (Engineers) Ltd. (*Re*) [1976] 1 W.L.R. 292 265
Letnik *v.* Toronto, 1993 AMC 768 ..... **105**
Levett *v.* Barclays Bank Plc [1995] 2 All E.R. 615 ..... **331** *et seq.*, 357
Lewis *v.* Averay [1972] 1 Q.B. 198 402
Liberty Shipping Lim. Procs, 1973 AMC 2241 226
Libraire Hachette S.A. *v.* Paris Bookstore Center Inc. (1970) 62 Misc. 2d 873; 309 N.Y.S. 2d 701 (S.C.) 496, 498, 500, 502
Liff *v.* Peasley [1981] 1 W.L.R. 781 393
Linda, The [1988] 1 Lloyd's Rep. 388 166
Linden Gardens Trust Ltd. *v.* Lenesta Sludge Disposals Ltd. [1994] 1 A.C. 85 ..... 430, 574
Lines Bros. Ltd. (*Re*) [1983] Ch. 1 ..... **111, 512, 514–516**
Lipkin Gorman *v.* Karpnale Ltd. [1991] 2 A.C. 548 ..... 256, 267, 309, **310, 311**, 313, 363, 364
Liquidator of Imperial Mercantile Credit Association *v.* Coleman (1873) L.R. 6 H.L. 189 381
Lister (R.A.) Ltd. *v.* Thomson (Shipping) Ltd. [1987] 1 W.L.R. 1614 438
Liverpool, The (No. 2) [1963] P. 64; [1960] 2 Lloyd's Rep. 66 81
Lloyds Bank Ltd. *v.* Bundy [1975] 1 Q.B. 326 ..... 361, 556
Lloyds Bank Ltd. *v.* Harrison (1925) L.D.A.B. 12 ..... 333, 357
Lloyds Bank *v.* Rosset [1991] 1 A.C. 107 541
Lobb (Alec) (Garages) Ltd. *v.* Total Oil (Great Britain) Ltd. [1985] 1 W.L.R. 173 ..... 539, **543**, 545–548, **549**, 551, 552, 556
London & Overseas Freighters *v.* Timber Shipping Co. (*The London Explorer*) [1972] A.C. 1 ..... 318, 323
London Explorer, The [1972] A.C. 1 ..... 318, 323
London General Omnibus Company *v.* Holloway [1912] 2 K.B. 72 ..... 332, 333
London S.S. Owners Mutual Ins. Assoc. Ltd. *v.* Bombay Trading Co. Ltd. (*The Felice*) [1990] 2 Lloyd's Rep. 21 ..... **50**, 51
Lotta, The, A.J. Antwerp, 29.4.86, Unreported 145
Louis Dreyfus & Cie *v.* Parnaso Cia Naviera S.A. [1960] 2 Q.B. 49 299
Louth *v.* Diprose (1992) 175 C.L.R. 621 (H.C.A.) 538–540, 546, 547, **549, 553–555**, 559
Lupton *v.* White (1808) 15 Ves. 432 ..... **448**

Page numbers in **bold** type indicate where the details of a particular case are examined.

Lykavitos, The, A.J. Antwerp, 2.11.72; [1972] Rechtsfr. Antw. 334 ..... 141, 147
Lympne Investments Ltd. (*Re*) [1972] 1 W.L.R. 523 ..... 113, 116

M.C.H. Services Ltd. (*Re*) [1987] B.C.L.C. 535 124
Macaura *v.* Northern Assurance Co. Ltd. [1925] A.C. 619 514
McDermott Inc. *v.* AmClyde, 1994 AMC 1521; (1994) 114 S. Ct. 1461 ..... **8** *et seq.*
McDonald *v.* Dennys Lascelles Ltd. (1933) 48 C.L.R. 457 471
MacDonald's Restaurants Ltd. *v.* Urbandrive Co. Ltd. [1994] 1 B.C.L.C. 306 117
Mace *v.* Cadell (1774) 1 Comp. 232; 98 E.R. 1060 261
McFadden *v.* Blue Star Line [1905] 1 K.B. 697 222
Maciej Rataj, The (*The Tatry*), Case C–406/92, 6 December 1994; [1992] 2 Lloyd's Rep. 552 ..... 33, 136
MacKenzie *v.* Royal Bank of Canada [1934] A.C. 468 334
Mackintosh (John) & Sons Ltd. *v.* Baker's Bargain Stores (Seaford) Ltd. [1965] 1 W.L.R. 1182 110
Maclean *v.* Dunn (1828) 4 Bing. 722 473
Macmillan Inc. *v.* Bishopsgate Investment Trust (1993) 10 December, Unreported ..... **308** *et seq.*
MacMillan Bloedel Ltd. *v.* Youell (1993) 79 B.C.L.R. (2d) 326 ..... **102**
McRae *v.* Commonwealth Disposals Commission (1951) 84 C.L.R. 377 477
Macro (Ipswich) Ltd. (*Re*) [1994] 2 B.C.L.C. 354 ..... **337** *et seq.*
Madeleine Vionnet et Cie *v.* Wills [1940] 1 K.B. 72 ..... **504**
Mahesan *v.* Malaysia Housing Soc. [1979] A.C. 375 198
Mainland *v.* Upjohn (1889) 41 Ch. D. 126 546
Makedonia, The [1962] 1 Lloyd's Rep. 316 ..... **224–226**, 227, 229, **231–233**, 238
Makefjell, The [1975] 1 Lloyd's Rep. 528 187
Makhutai, The [1994] 1 H.K.L.R. 212 186
Maloney Enterprises Inc. (*Re*) (1983) 38 U.C.C. Rep. Serv. 498 427
Manby *v.* Manby (1876) 3 Ch. D. 101 50
Mann *v.* Goldstein [1968] 1 W.L.R. 1091 116
Manners *v.* Pearson & Son [1898] 1 Ch. 581 ..... **505**
Manouli, The, A.J. Antwerp, 12.1.87; [1987] Rechtsfr. Antw. 130 144
Maratha Envoy, The [1977] Q.B. 324 ..... **510**
Marc Rich & Co. AG *v.* Bishop Rock Marine Co. Ltd. (*The Nicholas H*) [1995] 3 W.L.R. 227 (H.L.); [1994] 1 W.L.R. 1071 (C.A.); [1992] 2 Lloyd's Rep. 481; noted [1993] LMCLQ 1 ..... **433** *et seq.*
Mare Garant, The, A.J. Ghent, 16.12.85, Unreported; C.A. Ghent, 12.1.88; [1988] E.T.L. 63; [1989] E.T.L. 360; [1991] Rechtsfr. Antw. 254; C.A. Antwerp, 27.6.91; [1993] Rechtsfr. Antw. 43 ..... 134, 138, 141, 144, 149
Mareva A.S., The [1977] 1 Lloyd's Rep. 368 319
Maria Voyazides, The, A.J. Antwerp, 15.7.76, Unreported 146
Mariannina, The [1983] 1 Lloyd's Rep. 12 ..... 3, 4
Marine Atlantic *v.* Sam Blyth, 1994 AMC 1344; (1994) 71 F.T.R. 264; (1994) 113 D.L.R. (4th) 501 ..... **103**
Marion, The [1984] A.C. 563; [1984] 2 Lloyd's Rep. 1 ..... 232, **233**, **234**
Maritime Trader, The [1981] 2 Lloyd's Rep. 153 ..... 301, 571
Marleen, The, A.J. Bruges, 15.10.76, Unreported 138
Marsh, *ex p.* (1744) 1 Atk. 158; 26 E.R. 102 243
Marsh *v.* Keating (1834) 2 Cl. & Fin. 250; 6 E.R. 1149; 1 Bing. (N.C.) 198; 131 E.R. 1094 ..... **266**
Martindale *v.* Smith (1841) 1 Q.B. 389 471
Maryland Casualty Co. *v.* Cushing (1954) 347 U.S. 409; 1954 AMC 837 ..... **84**
Massey *v.* Midland Bank Plc [1995] 1 All E.R. 929 ..... 331, 333
Matharu *v.* Matharu (1994) 68 P. & C.R. 93 541
Mavani *v.* Ralli Bros Ltd. [1973] 1 W.L.R. 468 20
Mavrotissa, The, A.J. Antwerp, 15.10.86; [1987] E.T.L. 132 145
Med Coast Shipping *v.* Cuba, 1993 AMC 2530 ..... **96**
Media, The (1931) 41 Ll.L.Rep. 80 184
Meinhard *v.* Salmon (1928) 164 N.E. 545 463
Merrett *v.* Capitol Indemnity Corp. [1991] 1 Lloyd's Rep. 169 316
Mersey Docks & Harbour Board *v.* Proctor [1923] A.C. 253 306
Metall und Rohstoff AG *v.* Donaldson Lufkin & Jenrette Inc. [1990] Q.B. 391 ..... 520, 524
Metropolitan Mortgage Corp. *v.* Paul (15 December 1994), Unreported (C.A.) 455
Michales & Sons Maritime S.A. *v.* Prudential Assurance Co. (*The Zinovia*) [1984] 2 Lloyd's Rep. 264 ..... **306**
Midland Bank Plc *v.* Kidwai (5 June 1995), *The Independent* 356
Midland Bank Plc *v.* Massey [1995] 1 All E.R. 929 ..... 347, **348** *et seq.*

Page numbers in **bold** type indicate where the details of a particular case are examined.

Midland Bank Plc *v.* Serter (1995) 8 March, *The Independent* ..... 331, 333, 347, **351** *et seq.*, **359**
Midland Bank Trust Co. *v.* Green [1981] A.C. 513 544
Mikhail Lermontov, The (1994) Unreported **388–389**
Mikhail Lermontov, The (No. 3) (1994) Unreported **388–389**
Mikhail Lermontov, The (Nos 3, 4 and 5) (1994) 13 May **388–389**
Miles *v.* Apex Marine Corp. (1991) 498 U.S. 19 81
Miliangos *v.* George Frank (Textiles) Ltd. [1976] A.C. 443 ..... 500–501, **504–505**, **508**, 509, **510**, 512–514
Millars of Falkirk *v.* Turpie, 1976 S.L.T. 66 ..... **194**
Miller *v.* Race (1758) 1 Burr. 452; 97 E.R. 398 ..... **248**, 249, 250, 264
Mineral Transporter, The [1986] A.C. 1 ..... 210, **211**, **212**, 220
Ministry of Defence *v.* Ashman [1993] 2 E.G.L.R. 102 ..... 199, **343**, 344, 345
Ministry of Defence *v.* Thompson [1993] 2 E.G.L.R. 107 ..... 199, 343, **345**
Minscombe Properties Ltd. *v.* Sir Alfred McAlpine and Sons Ltd. (1986) 2 Const. L.J. 303 458
Miramichi Pulp and Paper Inc. *v.* Canadian Pacific Bulk Ship Services Ltd. (1993) 58 F.T.R. 81 ..... **100**
Mitchell *v.* McCulloch, 1976 S.C. 1 525
Moffat *v.* Moffat [1984] 1 N.Z.L.R. 600 ..... 538, 539, **540**, 547, 551, 552, 556
Monahan *v.* Trahan (1992) 117 N.S.R. 393; 324 A.P.R. 393 ..... **93**
Montedipe S.p.A. *v.* JTP-RO Jugotanker (*The Jordan Nicolov*) [1990] 2 Lloyd's Rep. 11 ..... **50**, 51
Moonacre, The [1992] 2 Lloyd's Rep. 501 478
Moore *v.* Lunn (1923) 39 T.L.R. 526; 15 Ll.L.Rep. 155; *aff'ng* (1922) 38 T.L.R. 649; 11 Ll.L.Rep. 86 ..... **228**
Morguard *v.* De Savoye [1990] 3 S.C.R. 1077; (1990) 76 D.L.R. (4th) 256 ..... 99, 422
Morris *v.* C.W. Martin & Sons Ltd. [1966] 1 Q.B. 716 ..... 177, 179
Morris *v.* Kanssen [1946] A.C. 459 ..... 377, **382**
Morrison *v.* Coast Finance (1965) 55 D.L.R. (2d) 710 ..... 538, **539**, 545–547, 551, 554, 556
Morrison S.S. Co. Ltd. *v. Greystoke Castle* (Cargo Owners) [1947] A.C. 265 ..... **209**, **210**
Moschanthy, The [1971] 1 Lloyd's Rep. 37 ..... 391, 392
Moses *v.* Macferlan (1760) 2 Burr. 1005 ..... **369**
Moses *v.* Shore Boat Builders Ltd. (1993) 83 B.C.L.R. (2d) 177; 106 D.L.R. (4th) 654; *upholding* (1992) 68 B.C.L.R. (2d) 394 ..... **99**
Mostoles, The, C.A. Ghent, 20.9.94, Unreported 148
Movitex *v.* Bulfield [1988] B.C.L.C. 104 ..... 379, **382**
Multiservice Bookbinding *v.* Marden [1979] Ch. 84 ..... 539, **543**, 545–548, **549**, 551, 552, **553**, 554
Muncaster Castle, The [1961] A.C. 807; [1961] 1 Lloyd's Rep. 57 ..... **230**, 231
Murphy *v.* Brentwood D.C. [1991] 1 A.C. 398 ..... **209**, 216, **327**, 328–331, 420, 472
Muschinski *v.* Dodds (1986) 160 C.L.R. 583 542
Mussen *v.* Van Diemen's Land Co. [1938] Ch. 253 471
Myrto, The [1977] 2 Lloyd's Rep. 243 96
Mys Budyonnogo, The [1992] 3 F.C. 255; (1992) 54 F.T.R. 215 ..... **95**

Nai Di Stefano, The, A.J. Bruges, 22.9.78, Unreported 138
Nanfri, The [1978] Q.B. 927; [1979] A.C. 757 ..... 117, 321
Nanisivik Mines Ltd. *v.* F.C.R.S. Shipping Ltd. (1993) 59 F.T.R. 272; (1994) 113 D.L.R. (4th) 536 ..... **100**
National Employers Ltd. *v.* Jones [1990] A.C. 24 472
National Iranian Tanker Co. *v.* The *Pericles GC*, 1995 (1) S.A. 475 (A); Case No. A238/92 (30 October 1992) Unreported 563, **564**, **565**, **569**, **570**
National Justice Compania Naviera S.A. *v.* Prudential Life Assurance Co. Ltd. (*The Ikarian Reefer*) [1995] 1 Lloyd's Rep. 455; [1993] 2 Lloyd's Rep. 68 ..... **305** *et seq.*
National Provincial Bank of England Ltd. *v.* Glanusk [1913] 3 K.B. 335 357
National Westminster Bank *v.* Morgan [1983] 3 All E.R. 85; [1985] 1 A.C. 686 ..... 361, 540, 556
Nautilus S.S. Co. Ltd. (*Re*) (1935) 52 Ll.L.Rep. 183 ..... **48**, **52**, **53**
Navigator, The, Com. C. Ghent, 8.11.88; [1990] I.L.V.Z. 60 153
Neptune (Vehicle Washing Equipment) *v.* Fitzgerald (1995) 2 March, *The Times*; (1995) 10 February, CCH *British Company Law and Practice*, paras 96–081 ..... **381**
Neste Chemicals S.A. *v.* D.K. Line S.A. (*The Sargasso*) [1994] CLC 358; [1994] 2 Lloyd's Rep. 6; noted [1994] LMCLQ 470 160
New Zealand Forest Products Ltd. *v.* Attorney General [1986] 1 N.Z.L.R. 14 205
New Zealand Shipping Co. Ltd. *v.* A.M. Satterthwaite & Co. Ltd. (*The Eurymedon*) [1975] A.C. 154 . 177
Newmont Mines Ltd. *v.* Adriatic Ins. Co. (1985) 609 F. Supp. 295 495
Newterm Ltd. *v. Mys Budyonnogo* [1992] 3 F.C. 255; (1992) 54 F.T.R. 215 ..... **95**

Page numbers in **bold** type indicate where the details of a particular case are examined.

Nicholas H, The [1995] 3 W.L.R. 227 (H.L.); [1994] 1 W.L.R. 1071 (C.A.); [1992] 2 Lloyd's Rep. 481; noted [1993] LMCLQ 1 ..... **433** *et seq.*
Nichols *v.* Jessup [1986] 1 N.Z.L.R. 226 ..... 538–540, 542, **543**, 545–547, 550, **554**
Nichols *v.* Jessup (No. 2) [1986] 1 N.Z.L.R. 237 ..... 539, **550**, 554
Nigel Upchurch Associates *v.* Aldridge Estates Investment Co. Ltd. [1993] 1 Lloyd's Rep. 535 ..... **40**, **41**, 42
Niobe Maritime Corp. *v.* Tradax Ocean Transportation S.A. (*The Niobe*) [1994] 1 Lloyd's Rep. 487; [1993] 2 Lloyd's Rep. 52 ..... **17** *et seq.*
Nitrigin Eireann Teoranta *v.* Inco Alloys Ltd. [1992] 1 W.L.R. 498 328
Noakes *v.* Rice [1902] A.C. 24 546
Nordglimt, The [1988] 1 Q.B. 183 301
Nor-Fisk I, The (1993) 62 F.T.R. 103 ..... **93**
Norman, The [1960] 1 Lloyd's Rep. 1 231
Norman *v.* Theodore Goddard (a firm) [1991] B.C.L.C. 1028 ..... 339, **341**
Normid Housing Assoc. Ltd. *v.* R. John Ralphs and Others [1989] 1 Lloyd's Rep. 265 ..... **43**
Norris *v.* William Moss & Sons Ltd. [1954] 1 W.L.R. 346 ..... **224**, 229
Northeast Marine Services Ltd. *v.* Atlantic Pilotage Authority [1993] 1 F.C. 371; (1993) 57 F.T.R. 81 ..... **106**
Northern Development (Holdings) Ltd. (*Re*) (1976) 16 June, Unreported **125**

Oakworth, The, A.J. Antwerp, 31.10.74; [1974] Rechtsfr. Antw. 234 ..... 145, 146
October International Navigation Inc. *v.* The *Fayrouz IV*, 1988 (4) S.A. 675 (N) 562
Oglebay Norton Co. *v.* CSX Corp., 1987 AMC 71; (1986) 788 F. 2d 361 12
Omala, The, Ct. of Cassation, 10.5.76; [1979–1980] Rechtsfr. Antw. 3; [1973] E.T.L. 768 ..... 143, 149
Onassis *v.* Vergottis [1968] 2 Lloyd's Rep. 403 306
Ont. Bus Industries Inc. *v.* The *Federal Calumet* (1993) 150 N.R. 149 ..... **91**
Orcombe, The, Ct. of Cassation, 26.3.82; [1983–1984] Rechtsfr. Antw. 121; [1982] E.T.L. 533 ..... 138, 148
O'Rorke *v.* Bolingbroke (1877) 2 App. Cas. 814 545
Otrant Frigo, The, C.A. Ghent, 20.9.94, Unreported 137, 145, 147
Overend, Guerney & Co. *v.* Gibb (1872) L.R. 5 H.L. 480 340
Owen and Gutch *v.* Homan (1853) 4 H.L. Cas. 997 554
Owens Bank *v.* Bracco (Case 129/92) [1994] I ECR 117; [1994] ECR Q.B. 509; [1992] 2 A.C. 443 (C.A.) 440, 441
Owners of cargo lately on board the vessel *K.H. Enterprise* *v.* Owners of the vessel *Pioneer Container* (*The Pioneer Container*) [1994] 2 A.C. 324; [1994] 1 Lloyd's Rep. 593 ..... **177** *et seq.*, **183** *et seq.*
Owners of the cargo lately laden on board the ship *Tatry* *v.* Owners of the ship *Maciej Rataj* (Case C–406/92 (6 December 1994) Unreported); [1992] 2 Lloyd's Rep. 552; [1995] 1 Lloyd's Rep. 302 ..... **161** *et seq.*
Owners of the *Eleftherotria* *v.* Owners of the *Despina R* (*The Despina R*) [1979] A.C. 685 ..... **510–511**
Owners of the MFV *Georg Lurich* *v.* Centro Latino Americano De Comercio Exterior S.A., 1994 (1) S.A. 857 (C) 561
Owners of the ship *Shin Kobe Maru* *v.* Empire Shipping Co. Inc. (1994) 181 C.L.R. 404; (1994) 68 A.L.J.R. 807; 125 A.L.R. 1; noted [1995] LMCLQ 22; (1991) 32 F.C.R. 78; (1991) 104 A.L.R. 489; [1992] LMCLQ 351, 369–370; (1992) 38 F.C.R. 227; (1992) 110 A.L.R. 463; [1993] LMCLQ 253, 267 ..... **173** *et seq.*, **389–391**, 397

P. & J. Macrae Ltd. (*Re*) [1961] 1 W.L.R. 229 119
P & O Property Holdings Ltd. *v.* Norwich Union Life Assurance Soc. (1993) 1 April, Unreported **19**
Pace *v.* Bianchi (1994) 28 February (Com. Ct. Malta) 24
Paco Rabane, The, A.J. Antwerp, 25.7.84, Unreported 137
Palmer Marine Surveys Ltd. (*Re*) [1986] 1 W.L.R. 573 124
Pan Atlantic *v.* Pine Top [1989] 1 Lloyd's Rep. 568; [1994] 3 W.L.R. 667; noted [1994] LMCLQ 473; [1994] 2 Lloyd's Rep. 427; [1995] 1 A.C. 501 ..... 305, 425, **477** *et seq.*
Pan Ocean Shipping Ltd. *v.* Creditcorp Ltd. (*The Trident Beauty*) [1994] 1 W.L.R. 161; [1994] 1 Lloyd's Rep. 365 ..... **399**, 400, 401
Parana Plantations Ltd. (*Re*) [1946] 2 All E.R. 214 ..... **513**
Paris Skating Rink Co. (*Re*) (1877) 5 Ch. D. 959 ..... **128**
Parkash *v.* Irani Finance Ltd. [1970] Ch. 101 ..... **453**
Parnham *v.* Hurst (1841) 8 M. & W. 743; 151 E.R. 1239 247
Partenreederei M.S. Tilly Russ *v.* Haven & Veervoebedrijf Nova N.V. (*The Tilly Russ*) [1985] 1 Q.B. 931; noted [1985] LMCLQ 177 ..... 184, 186
Pascoe *v.* Turner [1979] 1 W.L.R. 431 541

Page numbers in **bold** type indicate where the details of a particular case are examined.

Paulin (*Re*) [1935] 1 K.B. 26 ... 515
Pavlides *v.* Jensen [1956] Ch. 565 ... 338, **341**
Payabi *v.* Armstel Shipping Corp. [1992] Q.B. 907 ... 393
Pearson (S.) & Son Ltd. *v.* Dublin Corp. [1907] A.C. 351 ... 467
Penarth Dock Engineering Co. Ltd. *v.* Pounds [1963] 1 Lloyd's Rep. 359 ... 343
Pennell *v.* Deffell (1853) 4 De G.M. & G. 372; 43 E.R. 551 ... **266**
Pennsylvania R.R. Co. *v.* Cameron (1924) 280 Pa. 458; 124 A. 638 ... 495
Peonia, The [1991] 1 Lloyd's Rep. 100 ... 319, 320, 323
Pepper *v.* Hart [1993] A.C. 593 ... 42
Perak Pioneer Ltd. *v.* Petroliam Nasional B.H.D. [1986] A.C. 849 ... **128**
Peruitz *v.* Bohemian Discount Bank in Liquidation (1952) 279 A.D. 386; 110 N.Y.S. 2d 446 (1st Dep't); *rev'd on other grounds* (1953) 304 N.Y. 533; 110 N.E. 2d 6 ... 496, **502**
Peter and Frank, The, Ct. of Cassation, 18.9.81; [1981] Rechtsfr. Antw. 424 ... 133
Peter A.B. Widener, The [1993] 1 S.C.R. 497; (1993) 101 D.L.R. (4th) 188; 148 N.R. 349; [1993] 1 Lloyd's Rep. 600; 1993 AMC 1697 ... **102**
Peters *v.* A.B.C. Boat Charters Ltd. (1993) 73 B.C.L.R. (2d) 389; (1993) 98 D.L.R. (4th) 316 ... **98**
Petitioner of Kinsman Transit Co. (*Re*) (1964) 338 F. 2d 708 ... **204**
Pettus *v.* Jones & Loughlin Steel Corp. (1972) 322 Fed. Supp. 1078 ... 77
Phillips *v.* Eyre (1870) L.R. 6 Q.B. 1 ... **519**, 521
Phillips *v.* Homfray (1883) 24 Ch. D. 439 ... 344, 345
Photo Production Ltd. *v.* Securicor Transport Ltd. [1980] A.C. 827 ... 296, 470
Pick *v.* Manufacturers Life Ins. Co. [1958] 2 Lloyd's Rep. 93 ... 303
Pidcock *v.* Bishop (1925) 3 B. & C. 605 ... 357
Pinnel's Case (1602) 5 Rep. 117a ... **109**
Pioneer, The, C.A. Brussels, 12.5.56; [1957] Jurisprudence duport d'Anvers 195 ... 153
Pioneer Concrete (U.K.) Ltd. *v.* National Employers Mutual General Ins. Assoc. Ltd. [1985] 1 Lloyd's Rep. 274 ... **43**
Pioneer Container, The [1994] 2 A.C. 324; [1994] 1 Lloyd's Rep. 593 ... **177** *et seq.*, **183** *et seq.*
Planeta, The (1994) Unreported ... **387**
Playa Larga (Owners of Cargo Lately Laden on Board) *v. I Congreso del Partido* (Owners) [1978] Q.B. 500; *rev'sd on other grounds* [1981] 1 A.C. 244 ... 390
Pleatfine Ltd. (*Re*) [1983] B.C.L.C. 102 ... 111
Polar Star, The, A.J. Antwerp, 5.12.89; [1990] E.T.L. 687 ... 147, 150
Polivitte *v.* Commercial Union Assurance Co. [1987] 1 Lloyd's Rep. 379 ... 306
Polo II, The [1977] 2 Lloyd's Rep. 115 ... 391, 392
Ponte Pedrido, The, C.A. Antwerp, 6.8.82, Unreported; *aff'd* A.J. Antwerp, 15.7.82, Unreported ... 145, 146
Popi M, The [1985] 1 W.L.R. 948 ... 306
Port Caledonia, The and the *Anna* [1903] P. 184 ... 557
Port of Geelong Authority *v.* The Ship *Bass Reefer* (1992) 37 F.C.R. 374; (1992) 109 A.L.R. 505; noted [1992] LMLN 335; [1993] LMCLQ 253, 267–268 ... 390
Portman Provincial Cinemas Ltd. (*Re*) (1964) 108 S.J. 581 ... 119
Post Office *v.* Norwich Union Fire Ins. Soc. [1967] 2 Q.B. 363 ... **37–39**, 42
Potoi Chou, The [1984] 1 A.C. 226 ... 38
Potter *v.* Edwards (1857) 26 L.J. Ch. 468 ... 546
Pourvoirie Hart 2551–5651 Quebec Inc. *v.* Canada (1993) 58 F.T.R. 114 ... **95**
Powell *v.* Powell [1900] 1 Ch. 243 ... 351
Powell *v.* Rees (1837) 7 Ad. & El. 426 ... 344
Powell *v.* Streatham Manor Nursing Home [1935] A.C. 243 ... 306
Powell Duffryn *v.* Peterit [1992] I.L.Pr. 300 ... 187
Prager *v.* Blatspiel, Stamp and Heacock Ltd. [1924] 1 K.B. 566 ... 475–476
President of India *v.* Taygetos Shipping Co. [1985] 1 Lloyd's Rep. 155 ... **512**
Procer Fulgencio Yegros, The, A.J. Antwerp, 23.12.85; [1987] Rechtsfr. Antw. 126; A.J. Antwerp, 20.11.86; [1987] E.T.L. 135 ... 144
Product Star, The (No. 2) [1993] 1 Lloyd's Rep. 397 ... 421
Proteus, The, A.J. Antwerp, 11.1.85, Unreported ... 146
Protostatis, The, A.J. Antwerp, 29.3.88; [1988] E.T.L. 485 ... 143, 146
Prudential Assurance Co. Ltd. *v.* Newman Industries Ltd. (No. 2) [1982] Ch. 204 ... 341
Pye (J.A.) (Oxford) Estates *v.* Ambrose (21 March 1994) Unreported (Lexis) ... 546, 548, **554**, 559

Quarsenis, The, A.J. Antwerp, 31.1.85, Unreported ... 136

Page numbers in **bold** type indicate where the details of a particular case are examined.

R. *v.* IRC, *ex p.* Commerzbank A.G. [1993] S.T.C. 605 424
R. *v.* Gomez [1993] A.C. 442 253
R. *v.* Milne [1992] 1 S.C.R. 697; 70 C.C.C. (3d) 481 254
R. *v.* Secretary of State for Employment, *ex p.* Equal Opportunities Commission [1995] 1 A.C. 1 430
R. *v.* Walsh (1812) 4 Taunt. 258; 128 E.R. 328; 2 Leach 1054; 168 E.R. 624; Russ. & R. 215; 168 E.R. 767 ..... **252** *et seq.*
R.A. Lister Ltd. *v.* Thomson (Shipping) Ltd. [1987] 1 W.L.R. 1614 438
R.V. Ward Ltd. *v.* Bignall [1967] 1 Q.B. 534 ..... 472, **473**, **474**, 476
Radford *v.* De Froberville [1977] 1 W.L.R. 1262 ..... 29, 458, 459
Random Ford Mercury Sales Ltd. *v.* Noseworthy (1993) 95 D.L.R. (4th) 168 ..... **101**
Rands *v.* Peck (1662) Cro. Jac. 618; 79 E.R. 527 ..... **505**
Rawson *v.* Samuel (1839) Cr. & Ph. 161 117
Red Sea Ins. Co. Ltd. *v.* Bouygues [1995] 1 A.C. 190; noted [1994] LMCLQ 463 ..... **519**, 524
Redgrave *v.* Hurd (1881) 20 Ch. D. 1 (C.A.) 478
Redpath Industries Ltd. *v.* The *Cisco* [1994] 2 F.C. 279; (1993) 110 D.L.R. (4th) 583; 1994 AMC 1484; (1994) 163 N.R. 161 ..... **104**
Redpath Industries Ltd. *et al v.* Fednav Ltd. (1993) 63 F.T.R. 131 ..... **104**
Reefer Badger, The [1994] LMLN 403 ..... **392–394**
Regal (Hastings) Ltd. *v.* Gulliver [1942] 1 All E.R. 378 464
Regina Fur Co. *v.* Bossom [1957] 2 Lloyd's Rep. 466; *aff'd* [1958] 2 Lloyd's Rep. 425 306
Republic of India *v.* India S.S. Co. Ltd. (*The Indian Endurance*) [1993] A.C. 410; *sub nom. The Indian Grace* [1993] 1 Lloyd's Rep. 387; noted [1993] LMCLQ 451 441
Rewia, The [1991] 2 Lloyd's Rep. 325 188
Rhesa Shipping Co. S.A. *v.* Edmunds (*The Popi M*) [1985] 1 W.L.R. 948 306
Rhone, The *v.* The *Peter A. B. Widener* [1993] 1 S.C.R. 497; (1993) 101 D.L.R. (4th) 188; N.R. 349; [1993] 1 Lloyd's Rep. 600; 1993 AMC 1697 ..... **102**
Richardson *v.* Harris [1930] N.Z.L.R. 890 ..... 539, 551
Richardson *v.* Richardson [1927] P. 228 515
Rio Assu, The, Case No. A251/92 (1 December 1992) Unreported **570**
Rio Tinto Co. Ltd. *v.* Seed Shipping Co. Ltd. (1926) 42 T.L.R. 381; 24 Ll.L.Rep. 316 ..... 228, **235**
Riverstone Meat Co. Pty. Ltd. *v.* Lancashire Shipping Co. Ltd. (*The Muncaster Castle*)[1961] A.C. 807; [1961] 1 Lloyd's Rep. 57 ..... **230**, 231
Rivtow Marine Ltd. *v.* Washington Iron Works (1973) 40 D.L.R. (3d) 530 ..... 209, 210, 330
Roberta, The (1938) 60 Ll.L.Rep. 84 ..... **222**
Robin Hood Flour Mills Ltd. *v.* N.M. Patterson & Sons Ltd. (*The Farrandoc*) [1967] 1 Lloyd's Rep. 232; *aff'd* [1967] 2 Lloyd's Rep. 276 ..... **227**
Robins Dry Dock & Repair Co. *v.* Flint (1927) 275 U.S. 303 ..... **203**, **206**, **207**, 210
Robinson *v.* Harman (1848) 1 Ex. 850 ..... **27**
Rogers *v.* Aetna Ins. Co. (1896) 76 Fed. R. 569 ..... **228**
Rogers *v.* Parish (Scarborough) Ltd. [1987] Q.B. 933 ..... **192**, 194
Rolled Steel Products *v.* BSC [1986] 1 Ch. 246 ..... **376**, **377**
Roscoe (James) (Bolton) Ltd. *v.* Winder [1915] 1 Ch. 62 ..... 447, 450
Rose Hall Ltd. *v.* Chase Manhattan Overseas Banking Corp. (1983) 566 F. Supp. 1558 (D. Del.) 499
Rowe & Sons Ltd. *v.* Union S.S. Co. of N.Z. Ltd. (1909) 29 N.Z.L.R. 97 170
Rowland *v.* Divall [1923] 2 K.B. 500 ..... **426**
Royal Brunei Airlines Sdn Bhd *v.* Tan Kok Ming [1995] 2 A.C. 378 ..... 462, 522, 540, 542
Ruhrkohle Handel Inter G.m.b.H. *v.* The *Federal Calumet* [1992] 3 F.C. 98; (1993) 144 N.R. 70; 1993 AMC 825; (1993) 56 F.T.R. 207 ..... **99**, **100**
Rumbelows Ltd. *v.* A.M.K. (A Firm) (1980) 19 Build. L.R. 25 182
Runciman *v.* Walter Runciman Plc [1992] B.C.L.C. 1084; [1993] B.C.C. 223 ..... 375, **378–381**, 382, **383**
Russian Commercial and Industrial Bank (*Re*) [1955] 1 Ch. 148 ..... **505**
Ruxley Electronics & Constructions Ltd. *v.* Forsyth [1995] 3 W.L.R. 118 (H.L.); [1994] 1 W.L.R. 650; noted [1995] LMCLQ 27 ..... 27 *et seq.*, **456** *et seq.*
Ryall *v.* Rowles (1749) 1 Ves. Sen. 348; 27 E.R. 1074; 1 Atk. 165; 26 E.R. 110 261

S. Pearson & Son Ltd. *v.* Dublin Corp. [1907] A.C. 351 467
S.A. Coppée Lavalin N.V. *v.* Ken-Ren Chemicals & Fertilizers Ltd. [1994] 2 W.L.R. 631 ..... **19** *et seq.*
S.N.I. Aerospatiale *v.* Lee Kui Jak [1987] A.C. 871; noted [1987] LMCLQ 391 ..... 157, 441, 442
S.Y. Windekind III, The, A.J. Bruges, 9.2.82, Unreported 142
Safe Carrier, The [1994] 1 W.L.R. 541 ..... **227**
Saffron Walden Second Benefit Building Society *v.* Rayner (1880) 14 Ch. D. 406 352

Page numbers in **bold** type indicate where the details of a particular case are examined.

Sagona, The [1984] 1 Lloyd's Rep. 194 294
Sainsbury *v.* Street [1972] 1 W.L.R. 834 471
St Elefterio, The [1957] P. 179 390
St Paul Fire and Marine Co. (U.K.) Ltd. *v.* McConnell Dowell Constructors Ltd. [1995] 2 Lloyd's Rep. 116 (C.A.) ..... **477** *et seq.*
Salmon *v.* Quin & Axtens [1909] A.C. 442 374
Sam Vezina Inc. *v.* Laurentian Pilotage Authority [1993] 1 F.C. 60; (1993) 146 N.R. 151 ..... **105, 106**
Samuel *v.* Jarrah Timber [1904] A.C. 323 546
Samuel *v.* Newbold [1906] A.C. 461 ..... 541, **558**
Sammut *v.* Gollcher (*The City of Athens*) (1994) 22 June (C.A., Malta) ..... **23** *et seq.*
San Sebastian Pty. Ltd. *v.* Minister Administering the Environmental Planning and Assessment Act 1979 (1986) 162 C.L.R. 355 ..... 213, 327
Sargasso, The [1994] 2 Lloyd's Rep. 6; [1994] C.L.C. 358; noted [1994] LMCLQ 470 ..... 160, 301
Savin (*Re*) (1872) L.R. 7 Ch. App. 760 513
Saxon Star, The [1959] A.C. 133 531
Scally *v.* Southern Health and Social Securities Board [1992] 1 A.C. 294 5
Scandinavian Bank Plc (*Re*) [1988] 1 Ch. 87 ..... 515, 516
Schorsch Meier GmbH *v.* Hennin [1975] Q.B. 416 ..... **508, 509**
Schroeder Music Publishing *v.* Macaulay [1974] 1 W.L.R. 1308 540
Schwarz & Co. (Grain) Ltd. *v. St Elefterio* ex *Arion* (Owners) (*The St Elefterio*) [1957] P. 179 390
Scott *v.* Bevan (1831) 2 B. & Ad. 79; 109 E.R. 1073 ..... **505**
Scott *v.* Surman (1742) Willes 400; 125 E.R. 1235 ..... **242–244**, 247, 249, **250**, 259, 262
Scruttons Ltd. *v.* Midland Silicones Ltd. [1959] 2 Q.B. 171; [1962] A.C. 447 183
Seaboard Offshore Ltd. *v.* Secretary of State for Transport (*The Safe Carrier*) [1994] 1 W.L.R. 541 .... **227**
Seafarers' International Union of Canada *v.* Canada Labour Relations Board [1993] 154 N.R. 314 ..... **93**
Seahorse, The, ex *Protostatis*, C.A. Antwerp, 30.10.91; [1993] Rechtsfr. Antw. 55; A.J. Antwerp, 29.3.88; [1988] Rechtsfr. Antw. 119; [1988] E.T.L. 485 ..... 135, 137, 144, 145
Seaton *v.* Heath [1899] 1 Q.B. 782; [1910] A.C. 135 ..... 335, 356, 357
Securum Finance Ltd. *v.* Camswell Ltd. [1994] B.C.C. 434 ..... **123**
Selectmove Ltd. (*Re*) [1994] B.C.C. 349; noted [1994] LMCLQ 336 ..... **108, 109**, 114
Self *v.* Great Lakes Dredge & Dock Co., 1988 AMC 2278; (1987) 832 F. 2d 1540 8
Services Europe Atlantique Sud (SEAS) *v.* Stockholms Rederiaktiebolag Svea (*The Folias*) [1979] A.C. 685 ..... **510–511**
Shahabinia *v.* Gyachi (1989) Unreported **559**
Sharp (E.E.) & Son Ltd. *v.* The *Nefeli*, 1984 (3) S.A. 325 (C) 563, **567–568**
Shaw *v.* Applegate [1977] 1 W.L.R. 970 ..... **540**
Shaw, Savill Albion & Co. *v.* Friedricksburg (1951) 189 F. 2d 952 (2d Cir.) 496
Sheena-K, The, A.J. Bruges, 27.5.80, Unreported 138
Sherazade, The, C.A. Antwerp, 16.10.75, Unreported 138
Shin Kobe Maru, The (Owners of) *v.* Empire Shipping Co. Inc. (1994) 181 C.L.R. 404; (1994) 68 A.L.J.R. 807; 125 A.L.R. 1; noted [1995] LMCLQ 22; (1991) 32 F.C.R. 78; (1991) 104 A.L.R. 489; [1992] LMCLQ 351, 369–370; (1992) 38 F.C.R. 227; (1992) 110 A.L.R. 463; [1993] LMCLQ 253, 267 ..... **173** *et seq.*, **389–391**, 397
Shipping Corp. of India Ltd. *v.* Gamien Chemical Co. (A/Asia) Pty. Ltd. (1980) 147 C.L.R. 142 386
Shulman *v.* McCallum (1993) 79 B.C.L.R. (2d) 393; (1993) 105 D.L.R. (4th) 327 ..... **97, 98**
Siba Edolo, The, A.J. Antwerp, 15.2.73; [1973] E.T.L. 601; [1973] Rechtsfr. Antw. 17 ..... 137, 146, 148
Sierra Club of Western Canada *v.* Canada (1993) 63 F.T.R. 100 ..... **95**
Simaan General Contracting Co. *v.* Pilkington Glass Ltd. (No. 2) [1988] Q.B. 758 331
Simmonds *v.* Millar & Co. (1898) 15 T.L.R. 100 ..... **476**
Simpson & Co. *v.* Thomson (1877) L.R. 3 App. Cas. 279 ..... **206**, 212
Sinclair *v.* Brougham [1914] A.C. 398 ..... 242, 256, 266, 267
Singer Co. (U.K.) Ltd. *v.* Tees and Hartlepool Port Authority [1988] 2 Lloyd's Rep. 164; noted [1988] LMCLQ 466 179
Sisters, The (1804) 5 C. Rob. 155; 165 E.R. 731 397
Six nine five one one three Ontario Ltd. *v.* Commissioner of Stamps (1990) 53 S.A.S.R. 274; noted [1991] LMCLQ 326, 340 397
Sklan Ltd. (*Re*) [1961] 1 W.L.R. 1013 ..... 112, 124
Slattery *v.* Mance [1962] 1 Lloyd's Rep. 60 306
Smith *v.* Chadwick (1884) 9 App. Cas. 187 478
Smith *v.* Croft [1986] 1 W.L.R. 580 ..... **383**
Smith *v.* Croft (No. 2) [1988] Ch. 114 ..... **383**

Page numbers in **bold** type indicate where the details of a particular case are examined.

Smith *v.* Eric S. Bush [1990] 1 A.C. 831 469
Smith *v.* Eric S Bush (a firm) [1989] A.C. 177 331
Smith *v.* Land & House Property Corp. (1884) 28 Ch. D. 7 477
Smith (Howard) *v.* Ampol Petroleum [1974] A.C. 821 ..... 374, **382**, 383
Smith & Fawcett (*Re*) [1942] Ch. 204 374
Societe Francaise Bunge S.A. *v.* Belgian N.V. (*The Federal Huron*) [1985] 2 Lloyd's Rep. 189 ..... **512**
Sormovskiy 3068, The [1994] 2 Lloyd's Rep. 266 ..... **289** *et seq.*
South of Scotland Electricity Board *v.* British Oxygen Corporation [1959] 1 W.L.R. 587 370
South Tyneside Metropolitan B.C. *v.* Svenska International Plc [1995] 1 All E.R. 545; noted [1995] LMCLQ 313 ..... **313** *et seq.*, 364
Southport Corp. *v.* Esso [1954] 2 Q.B. 197; [1956] A.C. 218 ..... **216**, **217**
Space Investments Ltd. *v.* Canadian Imperial Bank of Commerce Trust Co. (Bahamas) Ltd. [1986] 1 W.L.R. 1072 ..... **447**, 449
Span Terza, The [1982] 1 Lloyd's Rep. 225 566
Spartan Steel & Alloys Ltd. *v.* Martin & Co. (Contractors) Ltd. [1973] Q.B. 27 206
Speight *v.* Gaunt (1883) 9 App. Cas. 1 342
Spiliada Maritime Corp. *v.* Consulex Ltd. (*The Spiliada*) [1987] A.C. 460 ..... **34**
Standard Oil Co. of New York *v.* Clan Line Steamers (*The Clan Gordon*) [1924] A.C. 100; (1923) 17 Ll.L.Rep. 120 ..... **223**, 224, **226**
Star Enterprise, The, A.J. Antwerp, 20.11.86; [1987] E.T.L. 135 ..... 141, 151
Star Shipping A.S. *v.* China National Foreign Trade Transportation Corp. (*The Star Texas*) [1993] 2 Lloyd's Rep. 445 ..... **1** *et seq.*
Star Texas, The [1993] 2 Lloyd's Rep. 445 ..... **1** *et seq.*
State of Louisiana *v.* M/V *Testbank* (1985) 752 F. 2d 1019 ..... 203, **207**
State Trading Corp. of India *v.* Doyle Carriers Inc. (*The Jute Express*) [1991] 2 Lloyd's Rep. 55 ..... **238**
Stena Nautica, The (No. 2) [1982] 2 Lloyd's Rep. 336 155
Stephen *v.* Scottish Boatowners Mutual Ins. Assoc. (*The Talisman*), 1989 S.C. 24; 1989 1 Lloyd's Rep. 535 ..... **222**
Stevens *v.* Brodribb Sawmilling Co. Pty. Ltd. (1986) C.L.R. 16 327
Stevens *v.* Head (1993) 176 C.L.R. 433 523
Stewart Gill Ltd. *v.* Horatio Myer & Co. Ltd. [1992] Q.B. 600; noted [1992] LMCLQ 467 469
Stolt Marmaro, The [1985] 2 Lloyd's Rep. 428 ..... **4**
Stone *v.* Compton (1838) 5 Bing. N.C. 142 357
Stonegate Securities Ltd. *v.* Gregory [1980] Ch. 576 ..... 113, **116**
Stooke *v.* Taylor (1880) 5 Q.B.D. 569 117
Subro Valeur, The (1994) 21 December, LMLN 397 ..... **226**, **228**
Sumitomo Bank Ltd. *v.* Thahir [1993] 1 S.L.R. 735 198
Surrey County Council *v.* Bredero Homes Ltd. [1993] 1 W.L.R. 1361 (C.A.); noted [1993] LMCLQ 453 ..... 461, 466
Sutherland *v.* Mayer (1925) 271 U.S. 272 ..... **501**
Sutherland Shire Council *v.* Heyman (1985) 157 C.L.R. 424 ..... **328**, 329, 330, 472
Sutton *v.* Sutton [1984] Ch. 184 547
Swain *v.* The Law Society [1983] 1 A.C. 598 51
Swaine (J.B.) Ltd. (*Re*) 1965 1 W.L.R. 909 ..... **124**, **125**
Swordheath Properties Ltd. *v.* Tabet [1979] 1 W.L.R. 285 343
Syndic in Bankruptcy of Salim Nasrullah Khoury [1943] A.C. 507 ..... **504**
Sze Hai Tong Bank *v.* Rambler Cycle Co. [1959] A.C. 577; [1959] 2 Lloyd's Rep. 114 ..... 293, 295–297

T.C.N. Channel 9 Ltd. *v.* Hayden Enterprises Pty. Ltd. (1989) 16 N.S.W.L.R. 130 387
T.D. Bank *v.* Port of Toronto (1993) 59 F.T.R. 238 ..... **97**
T.H. Knitwear (Wholesale) Ltd. (*Re*) [1988] Ch. 275 455
TSB Bank Plc *v.* Camfield [1995] 1 W.L.R. 430 ..... 331, 334, 346
Taitexma Enterpriese Corp. *v.* Tillemont Shipping Corp. S.A. (*The United Sing*) (1994) 23 December, Unreported 225, **238**
Talisman, The, 1989 S.C. 24; [1989] 1 Lloyd's Rep. 535 ..... **222**
Tappenden *v.* Artus [1964] 2 Q.B. 185 402
Taramar Shipping Corp. *v.* Young Nav. Corp. (*The World Horizon*) [1993] 2 Lloyd's Rep. 56 ..... **17**, **18**
Tatry, The, Case C–406/92, 6 December 1994; [1992] 2 Lloyd's Rep. 552; [1995] 1 Lloyd's Rep. 302; noted [1995] LMCLQ 161 ..... 33, 302, 422
Tatry, The, sub nom. *The Maciej Rataj* (Case C–406/92 (6 December 1994) Unreported); [1992] 2 Lloyd's Rep. 552; [1995]1 Lloyd's Rep. 302; noted [1995] LMCLQ 161 ..... **161** *et seq.*, 301, 422

Page numbers in **bold** type indicate where the details of a particular case are examined.

Taylor *v.* Plumer (1815) 3 M. & S. 562; 105 E.R. 721; 2 Rose 457; [1814–1823] All E.R. 167 .....**240** *et seq.*
Taylor (C.R.) (Wholesale) Ltd. *v.* Hepworths Ltd. [1971] 1 W.L.R. 659 ..... 30, 458
Taylors Fashions *v.* Liverpool Victoria Trustee Co. [1982] 1 Q.B. 133 ..... **541**, 542
Taylor's Industrial Flooring Ltd. (*Re*) [1990] B.C.C. 44 ..... 114, 115
Taylor's Industrial Flooring Ltd. *v.* M. & H. Plant Hire (Manchester) Ltd. [1990] B.C.L.C. 216 115
Teca-Print A.G. *v.* Amacoil Machinery Co. Inc. (1988) 138 Misc. 2d 777; 525 N.Y.S. 2d 701 (S.C.) ... 498
Teh Hu, The [1970] P. 106 ..... **504**, **507**
Tejo, The, A.J. Antwerp, 29.6.79; C.A. Antwerp, 2.4.80, Unreported; [1980] E.T.L. 311 ..... 137, 148
Tesco Supermarkets *v.* Nattrass [1972] A.C. 153 ..... **231**
Testbank, The (1985) 752 F. 2d 1019 ..... 203, **207**, 210
Thahir *v.* P.T. Pertambangan Minyak Dan Gas Bumi Negara (Pertamina) (1994) 25 August, Unreported ..... **198** *et seq.*
Thekis, The, A.J. Antwerp, 18.2.77; [1977] E.T.L. 100 ..... 146, 148
Thomas Witter Ltd. *v.* TBP Industries Ltd. (1994) 14 Tr.L.R. 145 ..... 337, **466** *et seq.*
Thornton *v.* Maynard (1875) L.R. 10 C.P. 695 117
Tilley *v.* Bowman Ltd. [1910] 1 K.B. 745 402
Tillman *v.* Russo Asiatic Bank (1931) 51 F. 2d 1023 (2d Cir.) 502
Tilly Russ, The [1985] 1 Q.B. 931; noted [1985] LMCLQ 177 ..... 184, 186
Tito *v.* Waddell (No. 2) [1977] Ch. 106 459
Toman, The, Comm. Ct. Antwerp Summ. Proc., 2.10.69; [1970] E.T.L. 238 ..... 133, 145
Toepfer (Alfred C.) Schiffahrts. GmbH *v.* Tossa Marine Co. Ltd. (*The Derby*) [1985] 2 Lloyd's Rep. 325 229
Toledo, The [1995] 1 Lloyd's Rep. 40 ..... **238**
Torenia, The [1983] 2 Lloyd's Rep. 210 ..... **238**
Torvald Klaveness A/S *v.* Arni Maritime Corp. (*The Gregos*) [1994] 1 W.L.R. 1461 (H.L.); *rev'sg* [1993] 2 Lloyd's Rep. 335 (C.A.); *rev'sg* [1992] 2 Lloyd's Rep. 40 ..... **318** *et seq.*
Tottenham Hotspur Plc *v.* Edennote Plc [1994] B.C.C. 681 ..... **119**, **130**
Tournier *v.* National Provincial & Union Bank of England [1924] 1 K.B. 461 356
Tourville *v.* Naish (1734) 3 P. Wms. 307; 24 E.R. 1097 400
Townsend *v.* Ash (1745) 3 Ark. 336 514
Trade Indemnity *v.* Workington Harbour and Dock Board [1937] A.C. 1 ..... **334–335**, 336, 337
Tramontana *v.* S.A. Empresa de Viacao Aerea Rio Grandense (1965) 350 F. 2d 468 (D.C. Cir.); *cert. denied sub nom.* Tramontana *v.* Varig Airlines (1966) 383 U.S. 943 502
Transgroup Shipping S.A. *v.* The *Kyoju Maru* (Owners), 1984 (4) S.A. 210 (D) **566**, **567**, **569**, **571**
Transoceaniska Francesca and *Nicos V*, The [1987] 2 Lloyd's Rep. 155 ..... **512**
Transol Bunker B.V. *v.* The *Andrico Unity*, 1987 (3) S.A. 794 (C) 567
Trident Beauty, The [1994] 1 W.L.R. 161; [1994] 1 Lloyd's Rep. 365 ..... **399**, 400, 401
Trinh *v.* Citibank NA (1985) 623 F. Supp. 1526; *aff'd without reference to the point* (1988) 850 F. 2d 1164 ..... 495, **503–504**
Tweeds Garages Ltd. (*Re*) [1962] Ch. 406 115
Twins Transport Ltd. *v.* Patrick and Brocklehurst (1983) 25 Build. L.R. 65; (1986) 4 Con. L.R. 117 ... 182

Ultramares Corp. *v.* Touch (1931) 174 N.E. 441 205
Union Bank of Finland *v.* Lelakis [1995] C.L.C. 27 333
Union of India *v.* N.V. Reederij Amsterdam (*The Amstelslot*) [1963] 2 Lloyd's Rep. 223 ..... **229**
Union Oil Co. *v.* Oppen (1974) 501 F. 2d 558 ..... **210**, **216**
United Railways of Havana and Regla Warehouses Ltd. (*Re*) [1961] A.C. 1007 ..... **504**, 505, **506–507**, 508, 509, 515
United Sing, The (1994) 23 December, Unreported 225, **238**
United States *v.* Reliable Transfer Co., 1975 AMC 541; (1975) 421 U.S. 397 ..... 10, 11
Universal Cargo Carriers Corp. *v.* Citati [1957] 2 Q.B. 401 ..... **322**

Varna, The [1993] 2 Lloyd's Rep. 253 302
Varna, The (No. 2) [1994] 2 Lloyd's Rep. 41 302
Vasso, The [1984] 1 Q.B. 477; [1984] 1 Lloyd's Rep. 235 302
Veliko Tirnovo, The, A.J. Antwerp, Unreported; A.J. Antwerp, 20.2.75; [1974] Rechtsfr. Antw. 324 ..... 145, 150
Ventouris *v.* Mountain (*The Italia Express*) [1992] 2 Lloyd's Rep. 281 ..... 38, **48**
Verdi, The (1920) 269 F. 908 (S.D.N.Y.) 499
Veritas, The [1901] P. 304; (1901) 9 Asp. M.L.C. 237 66
Vestris, The (1932) 43 Ll.L.Rep. 86 184

Page numbers in **bold** type indicate where the details of a particular case are examined.

Vezina (Sam) Inc. *v.* Laurentian Pilotage Authority [1993] 1 F.C. 60; (1993) 146 N.R. 151 ..... **105**, **106**
Vicky B, The, C.A. Antwerp, 26.3.84; [1984] E.T.L. 662 144
Vishipco Line *v.* Chase Manhattan Bank NA (1981) 660 F. 2d 854; (1985) 754 F. 2d 452 ..... 495, **502–503**
Vlassopoulos *v.* British & Foreign Marine Ins. Co. Ltd. [1929] 1 K.B. 187 490
Voest-Alpine Canada Corp. *v.* Pan Ocean Shipping (1993) 79 B.C.L.R. (2d) 379 ..... **91**
Volta Wisdom, The, A.J. Antwerp, 4.5.76; 26.4.76; [1975–1976] Rechtsfr. Antw. 164; [1977] E.T.L. 119; Comm. Ct. Antwerp Summ. Proc., 19.12.69; [1970] E.T.L. 232; A.J. Antwerp, 21.4.77, Unreported 134, 137, 145
Voth *v.* Manildra Flour Mills Pty. Ltd. (1990) 171 C.L.R. 538 524

W.W. Duncan & Co. (*Re*) [1905] 1 Ch. 307 ..... **513**
Walton *v.* Bell & Haggie (14 April 1994) Unreported 541
Waltons Stores (Interstate) *v.* Maher (1988) 164 C.L.R. 387 ..... **541**, 542
Ward *v.* Coulon Sanderson & Ward Ltd. [1986] P.C.C. 57 126
Ward *v.* Ridgwin (1625) Latch 84; 82 E.R. 286 ..... **505**
Ward's Case (1625) Latch 3; 82 E.R. 245 ..... **505**
Ward (R.V.) Ltd. *v.* Bignall [1967] 1 Q.B. 534 ..... 472, **473**, **474**, 476
Warman *v.* Dwyer (1995) 128 A.L.R. 201 ..... **462** *et seq.*
Waters *v.* Donnelly (1885) 9 O.R. 391 539
Watkin *v.* Watson-Smith (3 July 1986), *The Times* 547, 554
Watkins & Davis Ltd. *v.* Legal & General Assurance Co. Ltd. [1981] 1 Lloyd's Rep. 674 306
Watts *v.* Morrow [1971] 1 W.L.R. 1421 ..... **30**
Wear Breeze, The [1969] 1 Q.B. 219 92
Webster *v.* Scale, M. 25 Geo. 3, B.R. 243
Weller & Co. *v.* Foot & Mouth Disease Research Institute [1966] 1 Q.B. 569 206
Welsh Brick Industries Ltd. (*Re*) [1946] 2 All E.R. 197 ..... **114**
West Mercia Safetywear Ltd. *v.* Dodd [1988] B.C.L.C. 250 ..... 109, 382
West of England Ship Owners Mutual Ins. Assoc. (Luxembourg) *v.* Laurentian General Ins. Co. [1993] R.J.Q. 122 ..... **101**
Westdeutsche Landesbank Girozentrale *v.* Islington L.B.C. [1994] 4 All E.R. 890; noted [1993] LMCLQ 300; *aff'd* [1994] 1 W.L.R. 938 ..... 314, 363
Western Assurance Co. of Toronto *v.* Poole [1903] 1 K.B. 376 396
Westminster Bank Ltd. *v.* Cond (1940) 46 Com. Cas. 60 357
Weston Banking Corp. *v.* Turkiye Guranti Bankasi (1982) A.S. 86 A.D. 2d 544; 446 N.Y.S. 2d 67; *aff'd* 57 N.Y. 2d 315; 422 N.E. 2d 1195; 456 N.Y.S. 2d 684 496
Westpac Banking Corp. *v.* Robinson (1993) 30 N.S.W.L.R. 668 334
Weyerhaeuser Co. *v.* Anglo Canadian Shipping Co. Ltd. [1984] 16 F.T.R. 294 90
Whitbread *v.* Walley [1990] 3 S.C.R. 1273 ..... **89**
White *v.* Jones [1995] 2 W.L.R. 187 360
White & Carter (Councils) Ltd. *v.* McGregor [1962] A.C. 413 31
Whitecomb *v.* Jacob (1710) 1 Salk. 160; 91 E.R. 149 ..... **248**, 250, 261
Whitehouse (*Re*) (1878) 9 Ch. D. 595 117
Whitwam *v.* Westminster Brymbo Coal & Coke Co. [1896] 2 Ch. 358 343
Whitworth *v.* Gaugain (1844) 3 Hare 416 452
Willemstad, The (1976) 136 C.L.R. 529 ..... **205**, **210**, **211**, 212, 214, 219, 220
Williams *v.* Roffey Bros. & Nicholls (Contractors) Ltd. [1991] 1 Q.B. 1 574
Willis Faber Enthoven (Pty) Ltd. *v.* Receiver of Revenue, 1992 (4) SA 202 (A) 363
Wills *v.* Wood (1984) C.C.L.R. 7 558
Willsage *v.* Davidge (1586) 1 Leo. 41; 74 E.R. 38 ..... **505**
Winch *v.* Keeley (1787) 1 T.R. 619; 99 E.R. 1284; 1 D. & E. 243, **244**, **245**, 246, 247, 259, 262
Wind Star, The [1995] 1 Lloyd's Rep. 570 ..... **316** *et seq.*
Winnipeg Condominium Corp. No. 36 *v.* Bird Construction Co. Ltd. (1995) 12 D.L.R. (4th) 193 328
Winterton Construction Pty. Ltd. *v.* Hambros Australia Ltd. (1991) 101 A.L.R. 363 398
Wiseman *v.* Vandeput (1690) 2 Vern. 203 243
Wisepark Ltd. (*Re*) [1994] B.C.C. 221 ..... **130**
Witter (Thomas) Ltd. *v.* TBP Industries Ltd. (1994) 14 Tr.L.R. 145 ..... 337, **466** *et seq.*
Woodstead Finance *v.* Petrou (1986) C.C.L.R. 107 558
Woolwich Building Soc. *v.* Taylor [1994] C.L.C. 516 ..... **41**, 42
Woolwich Equitable Building Soc. *v.* I.R.C. (No. 2) [1993] A.C. 70 ..... **362**, **363**
Workvale Ltd. (*Re*) [1991] B.C.C. 109; [1992] 1 W.L.R. 416 ..... **37**, 108
World Horizon, The [1993] 2 Lloyd's Rep. 56 ..... **17**, **18**

Page numbers in **bold** type indicate where the details of a particular case are examined.

Wright *v.* Carter [1903] 1 Ch. 27 ..... **355**, **356**
Wyse *v.* Pioneer Cafeteria Feeds Ltd. (1965) 340 F. 2d 719 516

Ypatianna, The [1988] Q.B. 345 159

Zelger *v.* Salinitri (No. 2) (Case 129/83) 1984 ECR 2397 166
Zemco *v.* Jerrom-Pugh [1993] B.C.C. 275 ..... **383**
Zhejiang Branch of Chinese People's Ins. Co. *v.* Guangzhou Ocean Shipping Corp. & Shanghai Branch of China National Foreign Trade Transportation Corp. [1994] Sup. Ct. L.R., Issue 1 ..... **15** *et seq.*
Zhi Jiang Kon [1991] 1 Lloyd's Rep. 493 ..... **27**
Zinovia, The [1984] 2 Lloyd's Rep. 264 ..... **306**
Zygos Corp. *v.* Salen Rederierna A.B., 1985 (2) S.A. 486 (C) **564**, 566–568, **571**

Page numbers in **bold** type indicate where the details of a particular case are examined.